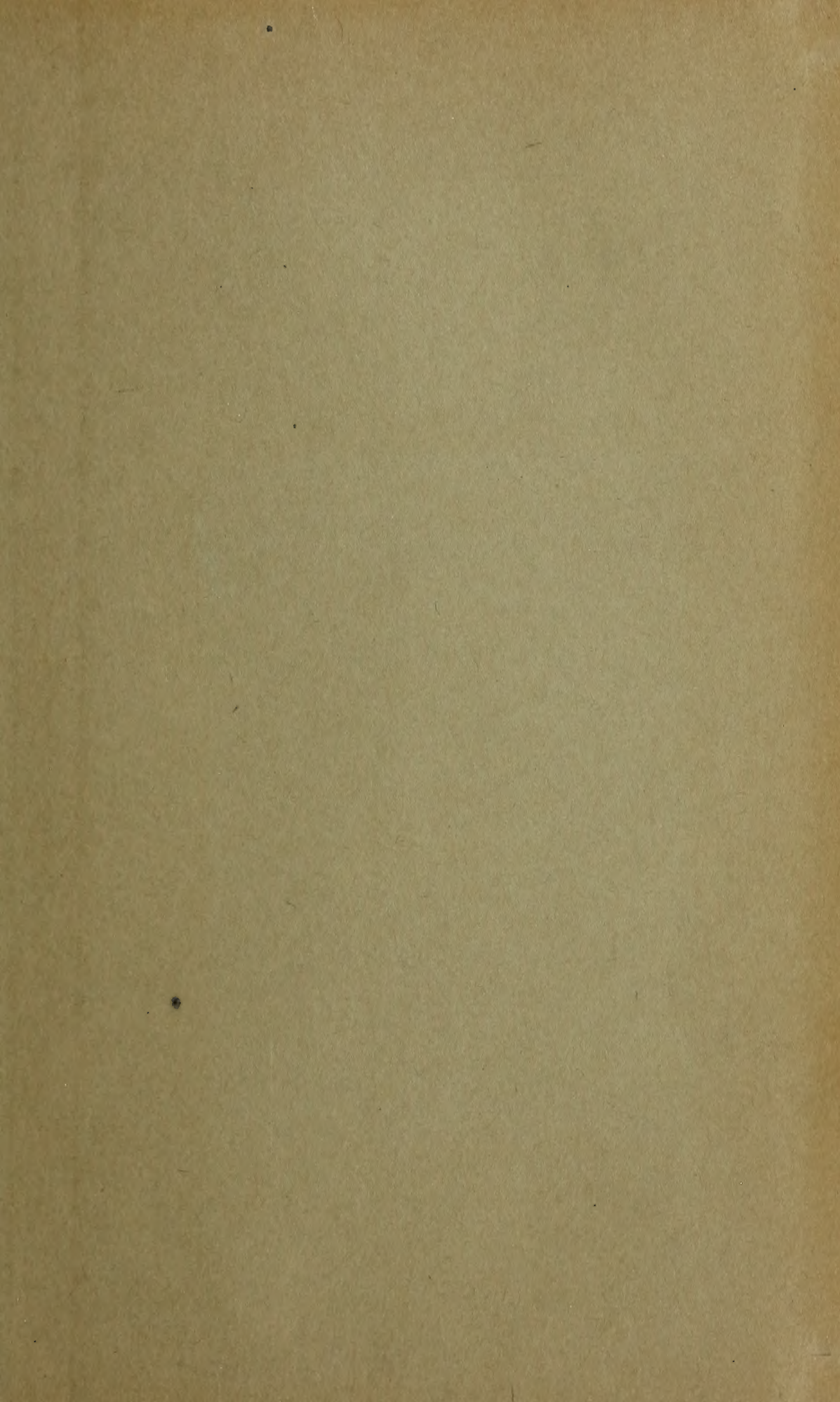


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Oklahoma Historical Society

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Chronicles of Oklahoma

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ANNUAL MEETING

THE ANNUAL MEETING OF THE OKLAHOMA HISTORICAL SOCIETY WILL BE HELD AT OKMULGEE FRIDAY AND SATURDAY, May 10-11, 1935.

At the quarterly meeting of the Board of Directors held January 24, 1935 a committee of Okmulgee citizens consisting of E. W. Cowden, president and John White, secretary of the Okmulgee Chamber of Commerce, and Mr. Orlando Swain, secretary of the Creek Indian Memorial Association appeared before the Board for the purpose of having the date fixed for the Annual Meeting which is to be held at Okmulgee, and also discuss some of the arrangements for the meeting.

THE DATE OF THE MEETING WAS FIXED FOR MAY 10-11, 1935.

Upon motion of Judge Williams a committee of three consisting of Judge Harry Campbell and John B. Meserve of Tulsa and Dr. Grant Foreman of Muskogee, was added to the standing committee on annual meeting program, to cooperate with the citizens of Okmulgee in arranging for the Annual Meeting.

The meeting will be held at the historical council house of the Creek Indians, and a splendid program lasting two days is being planned by the committee and the citizens of Okmulgee.

Visitors will have the opportunity of visiting places of historic interest while attending the Annual Meeting.

The members of the Oklahoma Historical Society will be notified by letter of the coming event.





CHARLES F. COLCORD

Chronicles of Oklahoma

Volume XIII

March, 1935

Number 1

RESOLUTION

ON THE DEATH OF CHARLES F. COLCORD

Adopted by

Board of Directors of the Oklahoma City Chamber of Commerce
December 20, 1934.

Whereas, Death, in his relentless stride, has overtaken and stricken down our dear and honored friend and fellow-member, Charles F. Colcord:

Be It Resolved by the officers and members of the Oklahoma City Chamber of Commerce, That we deeply mourn his loss, recognizing in him, as we do, not only one of the first citizens of this city and of the State of Oklahoma, but as a personal and beloved friend. While he was full of years and honors at the end, yet his death seems most untimely, and we find it difficult to realize that he has gone out from among us, never to return.

Yet his memory remains, and his long life of unselfish and devoted service is an inspiration to us all. For forty years and more he served his city and his state. As a peace officer in the early days, as one among the pioneers who laid the foundations of our present greatness, as a city builder whose faith and courage never faltered, as a civic leader who worked to the limit of his power and often over-taxed his strength, as a member of this, our Chamber of Commerce, and as its President, as a member and President of the State Historical Society, and as a factor in many other activities, he served his generation far beyond the call of duty or the ordinary standards of good citizenship; and never in this long and faithful service was his integrity doubted or his sincerity or purpose called in question.

Affluence came to him but left unspoiled his native gentleness and simplicity. Always he was modest, humble, democratic,

generous, just, and kind. He remembered and cherished the less fortunate friends of his early days. He loved to gather about him, on festal days or in vacation times, his large family circle, and to them he was the idol and patriarch of the group. These same gracious qualities endeared him to an ever-widening multitude of friends, and it could be said of him with almost literal truth that he had no enemies. His is truly the record of a long and useful life.

Resolved, that a copy of these resolutions be sent to Mrs. Colcord, to the heads of the immediate family circle, and to the State Historical Society, and that these resolutions be filed in the archives of the Oklahoma City Chamber of Commerce.

By the Committee

A. C. Scott, Chairman

John R. Boardman

Walter C. Dean

J. R. Keaton

J. M. Owen

A TRIBUTE TO CHARLES F. COLCORD

By Walter Ferguson

To pay a tribute to Charley Colcord is to pay a tribute to an epoch; to tell him good-bye is to say farewell to an age. To review the crowded hours of his useful life is to see and feel in retrospect the colorful pageant of western drama and pioneer romance. So conspicuous as a symbol of the old order, so typical of the builders on a firm foundation and so outstanding as a trail blazer into uncharted wilds and unknown prairies as he was, a period of history seems wrapped in his shroud.

The story of Charley Colcord is an animate chronicle of a great American state. More completely and more emphatically than any other man of this generation his name is etched in enduring fame on the corner-stone of Oklahoma's memory. As the lathe of time turns on, more and more will those who follow in his footsteps learn to appreciate the heritage he left, and to meditate at the shrine of his memory. As the story of his life unfolds and future generations learn of his works Charley Colcord will take his place among Oklahoma immortals and the vacant niche in the Hall of Fame in Washington should receive him in enduring marble to take his rightful place among the pioneers and the empire builders of American Commonwealths.

Down the Trail Together

The dramatic life of Colcord and the picturesque saga of Oklahoma began and grew together. Down the long trail they traveled but never separated. Their allegiance to each other was founded in faith and while one has reached the end of the trail the other goes on fondly remembering and deeply grateful. Oklahoma deeply misses her favorite son who meant so much in the days of her youth, but vivid recollection of his superb courage, his sublime faith and his burning affection are engraved forever on the heart of the Twin-Territories which he helped to mould into a proud American state.

When Colcord first saw Oklahoma there was little of promise of the state that was to be. To scan the barren prairies and to push through the tangled woods required an almost supernatural gift to vision an empire.

In fancy I can see Colonel Colcord as a youth leaving the last rim of civilization and plunging into the ford at Doan's Crossing with hundreds of long-horned steers, milling wildly in the flood of the Red River—headed for the unknown in the old Chickasaw Nation. I can see that weary trail breaking new paths through an uncharted domain to the banks of the Washita, where floods halted them, wild Indians harassed them and vicious stampedes at midnight threatened both life and property. I can see him again rushing the herds through the midst of the shifting sands of the South Canadian, and after sleepless days in the saddle, swimming the herd in the crimson flood of the winding Cimarron.

Next in fancy imagine him stretched in repose, with the stars for a blanket and his saddle under his head—the herd bedded down on the banks of the Arkansas, with the rail heads in striking distance, recounting the long days on the trail—storing up memories of the land through which he had passed, and dreaming of the empire which he was to help to build. The trails that Charley Colcord and his kind built through the Chickasaw Nation and the Cherokee Strip—the Washita, Canadian and Cimarron that they conquered in their path, were the first dim traces of a civilization which was a burning challenge to the Last Frontier.

He Visioned Proud Cities

Such resolute and determined men as Colcord decreed that the frontier, the wilderness and the buffalo dotted plains must give way to the plow; proud cities must rise on the sites near the waterholes, where herds were bedded down on their trek to the hell-roaring Kansas towns. Colcord broke dim trails through the matted buffalo grass, which are now paved highways from north to south. While crooning lullabies to milling herds to soothe them from an ever present desire to stampede, wonderful dreams of future splendor were unfolded before his eyes. He saw with a vision that few men possess—an empire of steel and concrete and barbed wire and forestation. He determined to be a vital, dominant factor in its creation.

When the last of the legal entanglements were cleared up, the Indian treaties abrogated and it was determined the last frontier would surrender to the plow, Colcord cast his lot with the Boomers, who peopled old Oklahoma in a day. Before the sun had set on a crowd, tented sprawling in the bend of the

Canadian, Colcord was the leading citizen of Oklahoma City. When he came to the end of the trail—in Fairlawn, he had held the title of First Citizen of Oklahoma City for an unbroken span—only five years less than a half century, and had added to it the glittery lustre of the title “First Citizen of Oklahoma.”

Plunging into the activities attendant upon the building of a primitive civilization among the wildflowers and the wild life, Colcord cast his lot with law and order. Sensing that only determined and fearless men could wrest the destiny of the future from the wild and lawless element who were seeking to terrorize the homesteaders and discourage the effort to bring firesides to no-man’s land, Colcord became the outstanding captain to marshal and organize resistance to banditry and license.

He Fought for Order

The effort to wrest control of the new territory from the vicious element who wanted the old order to continue, for the benefit of those who wanted to build homes and rear families in security and peace, was not a thing to be accomplished in a day—or without tremendous sacrifice and indomitable physical courage. There was no established order save a semi-martial law which a handful of Federal troops lazily and intermittently enforced, a sort of vigilante arrangement, organized by the better element, centered on Colonel Colcord as the leader of this signal challenge to the old order.

They did not arm him with proclamations, but rather with a Colt six-shooter, which Colcord was always reluctant—but never afraid to use. As the first Chief of Police of Oklahoma City, enlightened by his experience in the hell-roaring towns of Abilene, Ellsworth, Hays City and Wichita, he knew what to watch for to prevent the lawless order gaining the upper hand. As a result, Oklahoma City launched her career with vastly less of the reign of terror that most towns the old frontier knew. With the organization of peaceful, ordered government in the town where his primitive home was located, he was called into the larger service as United States Marshal to subdue the hell-towns of the old Cherokee Strip.

With these roaring towns tamed, the beacon lights of civilization ablaze throughout the promised land, hearth fires lighted

in countless new homes, Colonel Colcord dedicated himself to metropolitanism. He built for a permanency and not for froth of cowtown booms. Looking down the streak of dust that was called Broadway, he saw the squalor of the crude saloon and honkatonk. From the chili joints and greasy-spoon eating houses came anything but an inspiration for a city. The clink of gross glassware and the rattle of poker chips did not sound like the builder's hammer. The lounging cowboy and the sleek gambler seemed ill fitted to use in the mold of civic enterprise.

Kindred Spirits Hailed Him

Gathering about him some kindred spirits, fired with a like ambition, inspiring them to an almost religious fervor, he unfolded a vision of a great city in the hazy clouds of tomorrow that would be the metropolitan center of a vast state.

At that time the whole of the Indian Territory had to be acquired. The Cherokee Strip was a cattle ranch and the Cherokee and Arapaho country was an Indian reservation. The Kiowa and Comanche country which was to prove such an abundant feeder for the future city, was the "Big Pasture." To see his dream come true all of these elements must be woven into one state if Oklahoma City was to be the center. Under the obvious plan it was but twenty miles from the border.

Colonel Colcord lived to see the domain of the Choctaw, the empire of the Creek, the pastures of the southwest and the vast reaches of the Cherokee Strip, with many other far-flung acres, welded into a single state, and the great city he loved and lived for was within twenty miles of the center rather than the border. Single statehood, the union of the Twin Territories made of Oklahoma City a metropolis in 1907, but the brain-child was born in 1889 in the mind of Colonel Colcord.

Urged Hotel Building

Determined to spare no effort that would result in the expansion of a great city, Colonel Colcord was one of the builders of the first good hotel in his home town. Shortly before the Last Round-Up, he was the prime builder of the last great tavern. When he built the structure which bears his name, it was a daring enterprise, but also a stalwart challenge—a definite line dividing a village and a city. Throughout forty-five years the influence

of Colonel Colcord never varied. He was the undisputed leader in every civic enterprise designed to contribute to the expansion of his city. Twenty years ago he was one of the most potent influences in removing the state capital to the city he loved so well. Oklahoma City is naming a park in his honor, but it would not be amiss to change the designation of the city to his name.

In the virile, aggressive period of his life he expanded his activities so as to leave his permanent impress on the dominant industry of the state and to become a pioneer in the discovery of the product for which Oklahoma is really famous. Prior to the discovery of oil a few miles south of Sapulpa there were some small discoveries of petroleum and some minor explorations.

Aided Oil Development

With the advent of the Glenn Pool, Oklahoma became a major oil state, and the discovery well was drilled by three men—one of whom was Charlie Colcord. The opening of Glenn Pool marked the beginning of modern and metropolitan Tulsa, so Colonel Colcord may be ranked as one of the founders of the Oil Capital as well as the State Capital.

The closing days of his life were crowned with a signal service to the state he loved. For many years he was President of the Oklahoma Historical Society and earnestly and faithfully sought to preserve the colorful history he had helped to make. He loved the romance, the traditions and the legends of the Oklahoma of yesterday. The beautiful Historical Society building on the capitol grounds is one of the many monuments to him.

We may pay loving tribute to his memory today with futile words. They express in a small degree our sorrow at his passing and our deep appreciation of his splendid life. However, the tribute that impressed me most of all was at his funeral service. With beautiful music, with eloquent words, amidst a profusion of flowers, a last farewell to the plainsman, the pioneer, the builder, was being said. A grizzled frontiersman lifted his arm to brush away a tear, and Chris Madsen, the greatest marshal of all time, silently but eloquently rendered the supreme tribute.

COL. JESSE HENRY LEAVENWORTH

By

CAROLYN THOMAS FOREMAN

The name of Leavenworth has been associated with Oklahoma since May, 1834, when Gen. Henry Leavenworth took command at Fort Gibson. He accompanied the celebrated dragoon expedition in the summer of that year and died, as the result of an accident, July 21, at Camp Smith, twenty-five miles west of the Washita River.

General Leavenworth's son, Jesse Henry Leavenworth, saw much more service in this part of the country but he has been over-shadowed by his father. The Leavenworths were natives of Vermont and Jesse was born at Danville March 29, 1807. He was appointed to the Military Academy July 1, 1826, and on his graduation in July, 1830, was assigned to the Fourth Infantry as a second lieutenant.

A letter in the Old Records Division of the war department, written by General Leavenworth to the department June 14, 1831, from West Point says: "I am distressed to learn that my son very foolishly resigned his commission . . . Will you do me the favor to prevent his resignation from being accepted if consistent with your convenience & views of propriety." The influence of the General held the young officer in the service and on August 18, 1831, he was transferred to the Second Infantry. He served in garrisons at Baton Rouge, Sackett's Harbor and Macinac and he took part in the Black Hawk War against the Sac Indians in 1832.¹

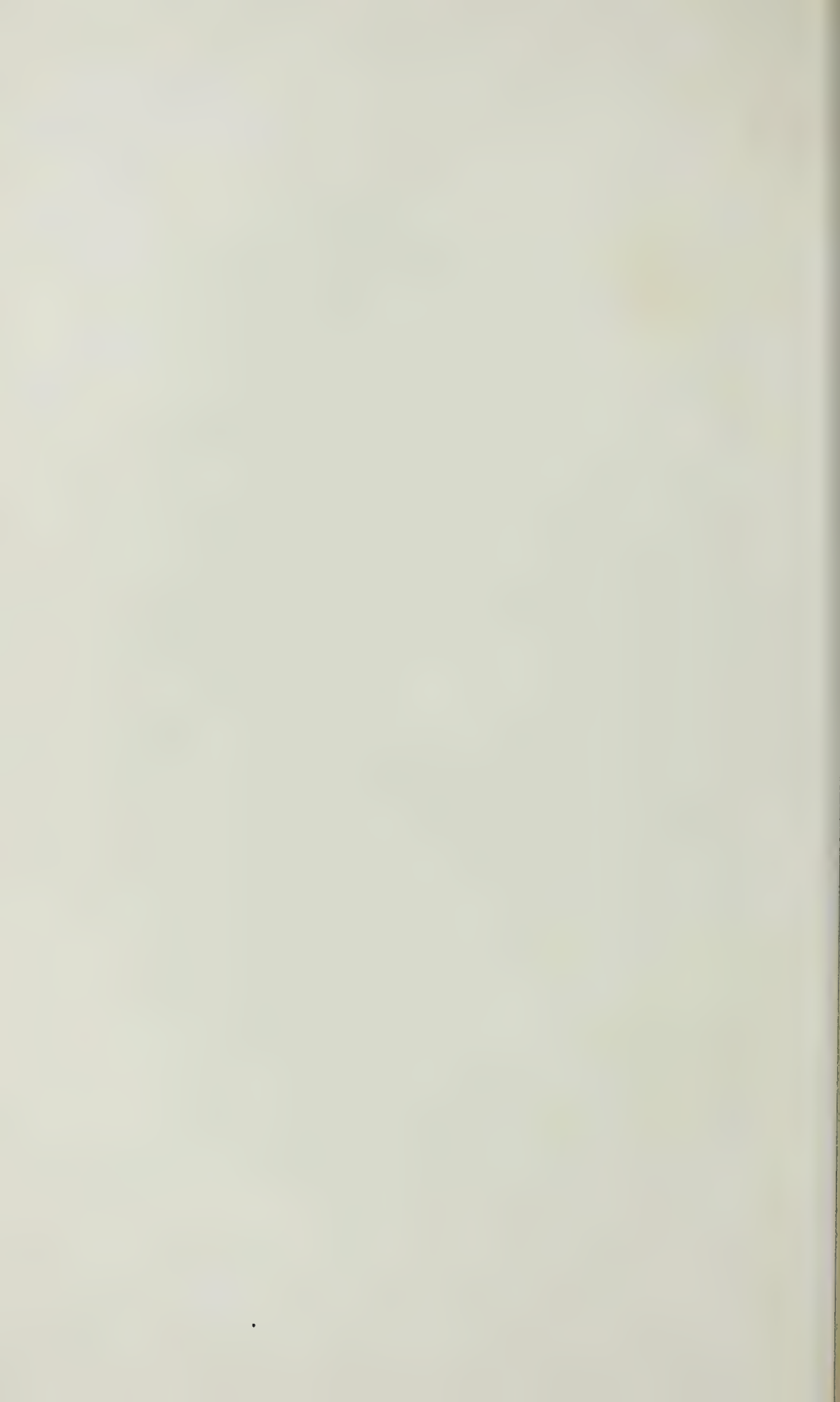
Young Leavenworth married Elvira Caroline Clark, daughter of Festus Clark, of Sackett's Harbor, New York, June 12, 1832, and four sons and four daughters were born to them between 1833 and 1853.²

¹*Biographical Register of the Officers and the Graduates of the U. S. Military Academy at West Point, N. Y.* by Bvt. Major-general George W. Cullum, 1868.

²*A Genealogy of the Leavenworth Family*, by Elias Warner Leavenworth, L. L. D., 1873, p. 236.



COL. JESSIE H. LEAVENWORTH



Leavenworth evidently was still discontented in his profession and he tendered his resignation from the army October 8, 1836,³ through Lieut-col. Alexander Cummings of the Second Infantry, who requested Gen. Roger Jones, adjutant general of the U. S. Army, to allow his services to terminate at the end of the year.⁴ There was no father to intervene this time and Leavenworth went to Chicago where he was employed as a civil engineer from 1836 to 1858.

Andreas, in his History of Chicago, states that Capt. J. H. Leavenworth was acting as agent in charge of the harbor works under Capt. T. J. Cram in 1839 and when the Chicago Cavalry was organized in 1842 Leavenworth was made a captain in the regiment. After 1858 he was a lumber merchant in Chicago. In 1862 he was claimed as a citizen of Wisconsin and the *Milwaukee Sentinel* urged his appointment as a brigadier general because of his "military education . . . experience, and the fact that he now has a large body of Wisconsin boys under his command . . ."⁵

Leavenworth was commissioned a colonel by Secretary Stanton February 17, 1862, and was given power to select his own officers. The Denver paper approved of all the *Milwaukee Sentinel* wrote but clamored to have Leavenworth appointed a general from Colorado. Leavenworth went west by way of Fort Leavenworth, taking with him a battery of six brass guns captured at Fort Donelson. There were 150 men in the battery and more than 100 horses were necessary to haul the guns to Denver. The force in his command included four troops of cavalry and three steam boats carried the arms, ammunition, men and horses from St. Louis to Fort Leavenworth.⁶

Colonel Leavenworth's command arrived in Denver June 2 "and passed through the principal streets, all looking excellent, noble and warlike. The Colonel . . . rode along at the head of the column. . ."⁷ The force was encamped on Larimer Street, about two miles from Denver and the fashionable folk of the

³Adjutant General's Office, Old Files Division, 218 - L. 1836.

⁴*Ibid.*, 564 - C - 1836.

⁵Copied in *The Rocky Mountain News*, May 24, 1862, p. 1, col. 2.

⁶*Ibid.*, April 14, 1862, p. 2, col. 2; April 24, 1862, p. 2, col. 2.

⁷*Ibid.*, June 2, 1862, p. 3, col. 2.

*It must have been on this trip near
that he rode with Reynolds?*

city rode or drove out to visit the camp. "From Colonel Leavenworth and Major Saville along the ranks to Adjutant [J. K.] Kimball [of Milwaukee] and the fine-looking 'full privates,' there is a style of sociability and sense not often to be observed or enjoyed at military encampments."⁸

Governor Evans kept Leavenworth busy examining mountain passes with a view to the construction of roads, in settling a disturbance in Trail Creek District and in an expedition against a band of Indians who had plundered every house for several miles along the Platte River. The marauders, very much frightened when Colonel Leavenworth appeared suddenly among them with one of his brass guns and a company of riflemen, agreed to leave immediately for their hunting grounds on the Republican River.⁹

In August Colonel Leavenworth was called to Fort Larned, Kansas, to settle some trouble with a band of Pawnees who had held up a government wagon train and refused to allow it to proceed until their wants in provisions and presents were satisfied.¹⁰

On November 13, 1862, Colonel Leavenworth with his Second Regiment and Colonel Larimer with the Colorado Third held a grand military review and paraded through the streets of Denver.¹¹ Leavenworth made a trip to the east which ". . . has resulted advantageously in the military interests of Colorado and we are glad to know the Department endorses his every act . . ."¹² When the Colonel left Denver on March 22 to join his regiment at Fort Lyon the newspaper regretted his departure ". . . but wherever he may go, we have abiding confidence that his private and official conduct will reflect nothing but credit and honor upon the Territory of which he has been a most worthy and estimable citizen. We regard the Colonel as one of the very best military men of the Territory . . . his good judgment and decision of character

⁸*Ibid.*, June 5, 1862, p. 3, col. 3.

⁹*Ibid.*, June 24, 1862, p. 2, col. 2.

¹⁰*Ibid.*, August 28, 1862, p. 1, col. 1.

¹¹*Ibid.*, November 30, 1862, p. 2, col. 2, from the daily of Friday, November 14. In the Colorado Historical Society at Denver there is a handsome silver-mounted saddle which was presented to Colonel Leavenworth by some of his friends on December 2, 1862 (*The Rocky Mountain News*, December 4, 1862, p. 1, cols. 1 & 2).

¹²*Ibid.*, March 19, 1863, p. 2, col. 3.

have won for him the respect and esteem of all with whom he has had business relations.”¹³

Early in April companies A, B, E, G, H & I started for Fort Leavenworth and May 13, 1863, Capt. George West wrote from Camp Carlton, near Fort Larned, that Leavenworth was using every exertion to have his command mounted and that “with such officers as Col. Leavenworth and Lt. Col. Dodd . . . we will not fear to play the game with any other regiment in the service.”¹⁴

Captain West in his bulletin to the *News* on June 7, 1863, reported the Headquarters Battalion of the Second Colorado Volunteers in camp about a mile from Fort Scott, Kansas. They had marched to that post by way of Fort Riley and Fort Leavenworth and were awaiting orders from General Blunt. They expected to be ordered to Fort Gibson to reinforce Colonel Philips who was reported to be in danger of an attack.¹⁵ One week later “The ‘Second’ Colorado [was] in a fight . . . with the rebels on the road between Fort Scott and Gibson, and about seventy-five miles from the former post. Our Colorado boys were attacked by a superior force which they repulsed. . . .” One man was killed and sixteen wounded.

At the same time three or four thousand Kiowa and Comanche Indians had surrounded Fort Larned. There were only two hundred soldiers in the garrison and Colonel Leavenworth sent an urgent request for more troops. The Indians were about to make hostile demonstrations when Leavenworth ordered out a battery of 12-pounders and commanded his men to open fire. The Indians immediately asked for a parley and finally agreed to leave the vicinity.¹⁶

Colonel Leavenworth commanded the troops along the Santa Fé road, with headquarters at Fort Larned, for four months after which he applied for orders to join his regiment under General Blunt. “The Battalion of the Second, under Lt. Col. Dodd, has

¹³*Ibid.*, March 23, 1863, p. 3, col. 2.

¹⁴*Ibid.*, June 4, 1863, p. 2, col. 8.

¹⁵*Ibid.*, June 23, 1863, p. 1, col. 4.

¹⁶*Ibid.*, July 23, 1863, p. 1, col. 4; July 30, 1863, p. 1. col. 3 and p. 2, col. 4.

won for the regiment imperishable laurels in the fields of Cabin Creek and Honey Springs, and later in Blunt's last campaign into Arkansas, and if Colonel Leavenworth is permitted to take with him the balance of his regiment, to be united with the six companies already in the field, we shall expect a record of glorious deeds unsurpassed in the annals of the war.

"... Very few officers in the service have so good a faculty of managing the Indians of the prairie, and it is the universal opinion of the officers at Fort Larned that his superior tact and firmness has prevented a bloody war with the roving tribes. At one time during the past summer the post was surrounded by several thousand armed and painted warriors, who threatened the massacre of the garrison, when Col. Leavenworth, with the utmost coolness and bravery, left the entrenchments and went among them, alone and unarmed, called the chiefs around him and succeeded in pacifying them. . ."

Like a bolt from the blue came word that Colonel Leavenworth and three of his officers had been *dishonorably* discharged from the service. "Their offense was 'enlisting men under false pretenses;' that is, raising the Battery Company without sufficient authority to do so. . ."

"A correspondent from a St. Louis paper . . . writing from the crossing of the Arkansas river on the road from Kansas City to Santa Fe, very severely censures Colonel Leavenworth for Indian annoyances along that route . . . the Colonel pursued a temporizing policy—giving them presents and encouraging them to stay in the neighborhood . . . the Indians have remained along the road . . . From begging they have taken to demanding, and passing trains, unless strong in numbers, are subjected to impositions but little short of robbery . . ."

It is difficult to understand such treatment of a veteran officer, but from the newspapers of that period one is convinced that there was much political influence involved in the appointment of officers in the volunteer regiments and no doubt there

¹⁷*Ibid.*, October 14, 1863, p. 2, col. 1 (editorial).

¹⁸*Ibid.*, October 21, 1863, p. 1, col. 1; McLain's Battery by Maj. J. H. Nankivell in *The Command Post* Colorado National Guard, March, 1931, p. 105.

¹⁹*The Rocky Mountain News*, October 21, 1863, p. 1, col. 2.

was jealousy of Leavenworth because he came from a remote state. An order in the war department files states that the "2nd. Col Vols and 3rd Col. Vols. are consolidated, to be designated the 2nd Col vols Cavalry."²⁰

On October 19, 1863, Colonel Leavenworth turned over the command of Fort Larned to Capt. J. W. Parmeter of the 12th Kansas Volunteers. The secretary of war, by Special Orders No. 128, March 26, 1864, gave Colonel Leavenworth an honorable discharge from the service of the United States "As of date of Special Orders, No. 431, series of 1863," which was signed by E. D. Townsend, Assistant Adjutant General.²¹

Colonel Leavenworth's regiment, which bore the picturesque name of Rocky Mountain Rangers, was supplied with a mountain howitzer for fighting the Indians. A new route between Union and Fort Lyon, established by Leavenworth and Capt. George West in August, 1862, was named "Leavenworth Cut-off", while a high peak above Georgetown, Colorado, is called Mount Leavenworth in honor of the officer who protected a frontier a thousand miles in extent from hostile Indians during the Civil War.²²

In 1864 Colonel Leavenworth was appointed Indian agent of the Kiowas, Comanches, and part of the Cheyenne tribe.²³ The Kiowas resided on the upper Yellowstone and Missouri rivers at one time but later occupied lands on the upper Arkansas and Canadian in Colorado and Oklahoma. Their passage of the Arkansas River was opposed by the Comanches and a war followed. When peace was concluded the Kiowas removed to the south side

²⁰Adjutant General's Office, Old Files Division, 1072 Leavenworth, Jesse H. F & S 2 Colorado Cavalry. The Second Regiment Colorado Cavalry participated in the following battles: "Fort Craig, no loss . . . Cabin Creek, no loss, Honey Springs (A, B, E, G, H, and I) no loss. Webber Falls, *killed* enlisted men 3 . . . Little Blue (July 6, 1864) *killed* 1 officer, enlisted men 7; *wounded*, enlisted men 1 . . . Canadian River, no loss. Little River (October 21, 1864) *killed*, officer 1, enlisted men 6; *wounded*, officer 1, enlisted men 12 . . . Big Blue, *killed*, enlisted men, 1; *wounded*, enlisted men 2. Marais des Cygnes, no loss. Little Osage, no loss (*Official Army Register of the Volunteer Force of the United States Army for the Years 1861, '62, '63, '64, '65. Part VIII, Territories. . . Colorado, p. 25*).

²¹ September 26, 1863 (*Historical Register and Dictionary of the United States Army*, by Francis B. Heitman, 1903).

²²*Five Years a Dragoon*, by Percival G. Love, 1906, p. 386; Leavenworth, *op. cit.*

²³Cullom, *op. cit.*

Pipes says Leavenworth rode with him in July 1864

of the Arkansas and formed a confederation with the Comanches which still continues. "Among all of the prairie tribes they were noted as the most predatory and bloodthirsty, and have probably killed more white men in proportion to their numbers than any of the others."²⁴

These Indians cherished an implacable hatred for the people of Texas, claiming that they had taken their hunting grounds from them. They ranged from Kansas to the Rio Grande, plundering emigrants and merchandise trains and carrying into captivity women and children. There is no doubt that some of the Indians had an idea that they were "performing a friendly act for the government by attacks upon its enemies."²⁵ This prejudice arose from the fact that the country was once owned by the Mexicans whom they regarded as their enemies and they did not understand that the annexation of Texas made its people citizens of the United States.

Maj. Gen. G. M. Dodge telegraphed from St. Louis to James Harlan, secretary of the interior, on July 13, 1865, enquiring if Leavenworth was acting under his orders in trying to make peace with the Comanches, Kiowas and other tribes that had lately committed depredations. "I am ready to move against these Indians but it is wrong for me to send out to fight them while these agents are assuring them of peace & offering it to them. They have been guilty of great outrages within thirty days. They now go south as soon as they find the force I have got ready to punish them & are ready to sign a peace contract which they will keep till I take my troops away when they will attack us again and I think we should punish them first for what they have done."²⁶

On September 14, 1865, Senator James R. Doolittle of Wisconsin wrote the president and Secretary Harlan recommending Leavenworth for one of the commissioners to treat with the Indians of the Upper Arkansas. "To his firmness, sagacity and devotion we owe nearly all that has been accomplished there in favor of peace. What he has done was under my sanction in the Presi-

²⁴*Handbook of American Indians*, Hodge (ed), Washington, 1912, pp. 699, 700.

²⁵*Report of the commissioner of Indian affairs*, 1866, p. 54.

²⁶Office Indian Affairs.

dent's name and he knows better than any other how to deal with these tribes. . .” The president complied with this recommendation.²⁷

The Kiowas shrewdly informed their agent that the Government would forget them if they quit their depredations and would not deal so liberally with them in the way of annuities and they would become poor. Some of the chiefs boldly took white captives to a military post near their agency and demanded a ransom. The agent of the Arapahoes ordered them to surrender the prisoners but they declared that they would deliver them only to their own agent, Colonel Leavenworth, who was then absent from the agency.²⁸

Military commanders charged that the Kiowas made a raid into Texas in 1866, capturing citizens, and Agent Leavenworth did not deny that they had committed depredation upon the Texans.²⁹ He wrote from Leavenworth City, Kansas, January 14, 1866, to Col. Thomas Murphy, superintendent of Indian affairs: “As the Hon. D. N. Cooley Comr. of In. Affairs has appointed me to accompany the captives secured from the Kiowa & Comanche Indians to their homes and friends in Texas, I would suggest [that as] Mrs. McDaniels [a captive] has not yet been confined altho the expected time is now over two months passed, she might be confined any day & when so, she will be compelled to stop three or four weeks — It would be impossible to pass south, through the Indian country this winter, and I would be obliged to go to Texas by St. Louis, Cairo, the Red river and Shreveport La., and then by land nearly as far as the distance to their homes, through the Indian country . . . I would postpone the moving of these women and children until about March or April, then get two ambulances about two or three six mule waggons from the Qr. M. Dept, and let the Agent of the Kiowa and Comancha Indians go through their country and get Mrs. Spragues & Mrs. McDaniels little girls that the Kiowas still hold and the little boy ‘Willie Ball’ the Comanchas have, and take them all home together. . . ”³⁰

²⁷*Ibid.*

²⁸*Report of the commissioner of Indian affairs, 1866.*

²⁹*Ibid.*, 1867, p. 18.

³⁰Office Indian Affairs, Kiowa L. 58.

The captives referred to, eight in number, were held at Council Grove. On March 6, 1866, Leavenworth notified Commissioner Cooley that the time was approaching when they should be sent to their anxious friends. He suggested that the war department be required to furnish necessary transportation and an escort. He thought at least four troops of cavalry should be ordered to re-occupy Old Fort Cobb and that the commanding officer should be directed to co-operate with the agent on that frontier to prevent further outrage.³¹

This plan was indorsed by Cooley who stated that in numerous instances captives rescued from the Indians were "returned to their homes at the public expense, defrayed from funds at the disposal of this office . . . that the cheapest and by far the most expeditious method . . . would be the mode suggested by Agent Leavenworth . . ."³²

Major H. Douglas of the Third Infantry wrote from Fort Dodge, Kansas, January 13, 1867: ". . . The Kiowas complain bitterly of Colonel Leavenworth. . . Kicking Bird, a chief of the Kiowas, states that only a few small bands of Kiowas got any presents; the balance, last year, got nothing; that it had been reported to Colonel Leavenworth that most of the bands were bad in their hearts and would not go in to get their presents; that he, Kicking Bird, sent runners to tell Colonel Leavenworth that his stock was poor and he could not move in then, but he would in the spring if the agent would keep his share of the goods; but Colonel Leavenworth would not listen, and either gave all the goods to the bands then in, or sold them to other Indians, and told them they would get no goods that year . . . Kicking Bird says that all bad feeling in his tribe is owing to the injustice of their agent; that it required all his influence to prevent an outbreak, and he is afraid that they will commence hostilities in the spring."³³ Leavenworth testified in May, 1867, that he had been instructed by Washington not to pay annuities until captives held by Indians were returned without ransom.³⁴

³¹*Ibid.*

³²*Ibid.*, D. N. Cooley to Hon. James Harlan, Sec. of Interior, March 26, 1866.

³³*Executive Document*, No. 240. House of Representatives, 41st Congress, second session, p. 47.

³⁴*Ibid.*, p. 124.

Henry M. Stanley, reporting the peace commission for eastern newspapers, from Fort Zarah, April 6, 1867, stated that Agent Leavenworth had arrived at the post which was the headquarters of the Kiowa and Comanche agency. "He has been the object of a good deal of censure from all parties, both civil and military. The military imagine he has infringed on their rights and privileges, and the civilians find fault with him because they think he cheats the Indians. As the post at Fort Dodge is in proximity to Fort Zarah, Kansas, its commander, Major Don Glass, and the agent, Leavenworth, are reported to be constantly at 'loggerheads,' and to indulge in mutual recriminations and insinuations." Major Glass based his charges on the following letter received by him from John Dodge, a halfcast trader, on behalf of the chiefs Satanta, Poor Bear and others:

"The Kioways want to know why Leavenworth does not have the goods intended for them carried to them. They say they want them. They cannot go after them; it is too cold. Horses is poor. They have a long way to go after buffalo. Squaws making robes. Four days to buffalo. Grass covered with snow. For them to go after the goods it would kill more horses than the goods is worth. Leavenworth has corn to feed his mules. They will not die. They want you to rite to Leavenworth and send him this also. If Leavenworth lisens to this and holds the goods, it is all right; if not, Kioways get mad. They will not go after them. It is cut off. The dore is shut; but they will not fight. Leavenworth can keep them. . . ." This was inclosed with one Major Glass wrote to Colonel Leavenworth in which he said: "This letter, with bitter complaints on the part of the principal men of the Kiowa tribe, leads me to believe that there may be some possible grounds of complaint of which you may be ignorant; and I am confident that when such are brought to your knowledge, you will use every means in your power to secure these Indians their just rights."

According to Stanley it was expressly agreed in the treaty made May 20, 1866, between General Sanborn, Kit Carson, Colonel Leavenworth and others on behalf of the United States, and Tona-ev-ko, Satanta, Satank, Boyahwah-to-yeh-be and Quel-park, chiefs of the Comanches and Kiowas, that perpetual peace should be maintained, yet, during the past September, "these tribes went

to Texas and committed most diabolical atrocities, and then, at the approach of winter, appeared at Fort Dodge to claim their annuities."³⁵

Agent Leavenworth wrote the commissioner of Indian Affairs September 2, 1867, from Camp 1, South Side of Arkansas River, *Near Little Arkansas River*. ". . . shall leave tomorrow . . . for the Comanche camp on the Red Fork of the North Fork of the Canadian River, at which point it is my intention to meet all the chiefs and headmen of the Kiowas, Comanches, Arapahoes, Apaches and Cheyennes that are south of the Arkansas, to make full arrangements for them to meet the commission authorized to make peace with the hostile Indians. In using the word 'hostile', I do not wish you to think that there are any hostile Indians south of the Arkansas, except a very few Cheyennes of Black Kettle's band, notwithstanding the report made by interested parties that the Kiowas are now on the war path. . . two herds of cattle, numbering some fifteen hundred, have just arrived here from Texas, and the herders report seeing very few Indians, and them very friendly . . ."³⁶

"With a view to securing peace with the hostile tribes, and to effect other important objects, Congress, by act of July 20th untimo, authorized the President to appoint a commission consisting of Hon. N. G. Taylor, Commissioner of Indian Affairs, Hon. J. B. Henderson, chairman of the Senate Committee on In-

³⁵*My Early Travels and Adventures in America and Asia*, Henry M. Stanley, D. C. L., 1895, Vol. I, pp. 14-18.

Santanta or White Bear was born about 1830. He became second chief of his tribe while Satank was the first chief. He was a man of force and ability and his eloquence gained him the title of Orator of the Plains. He boasted of his part in a bloody raid into Texas in 1871 and was tried for murder in that state. After being in prison for two years he was released but in the autumn of 1874 the Kiowas again went on the warpath, Satanta was captured and returned to prison where he committed suicide October 11, 1878.

Satanta was described as a typical Plains warrior, tall, princely in carriage and receiving visitors with as much grace and dignity as a king. His boldness and keen humor made him a favorite with army officers in spite of his great hostility to the white men (*Handbook of American Indians*, Vol. 2, p. 469).

Gen. John Benjamin Sandborn was born in New Hampshire and appointed to the army from Minnesota. He was colonel of the Fourth Minnesota Infantry and was promoted to brigadier general of volunteers August 4, 1863, brevet major general February 10, 1865, and honorably mustered out of the service April 30, 1866 (Heitman, *op. cit.*, vol. I, p. 858).

³⁶*Executive Document*, No. 240. House of Representatives, 41st Congress, second session, p. 25.

dian Affairs, Messrs. S. F. Tappan and John B. Sandborn, together with three officers of the army, not below the rank of brigadier general. . .

“The commission has recently effected very satisfactory treaty arrangements with the Kiowas, Comanches . . . and Cheyennes. In this matter much praise is due to . . . Leavenworth . . . for [his] promptness and efficiency in the discharge of the important and hazardous duty devolved upon [him] of visiting the disaffected Indians, to induce them to meet the commissioners . . .”³⁷

In 1867 Colonel Leavenworth gave interesting testimony before a joint special committee of Congress on the condition of the Indian tribes. He related that he became well acquainted with Indian life and character during his father’s lifetime when he was in command on the frontier. That during his stay in Colorado and since, he had gained a thorough acquaintance with the Cheyennes, Arapahoes, Kiowas, Comanches and Apaches.

He did not speak their language but talked with them by signs and had no difficulty in communicating with them. At that date there were 1500 to 1700 Kiowas. He further stated that Jesse Chisom [Chisholm] was his guide and interpreter and that he had helped to keep the Indians quiet. Chisom had been the guide and interpreter of his father, General Leavenworth, on his expedition to the Comanches in 1834 and that Chisom had been with those Indians ever since; that he spoke their language perfectly. Colonel Leavenworth testified that the Cheyennes, Arapahoes, Apaches, Kiowas and Comanches were all nomads. “They are the wild Arabs of America.”

The peace commission was in session at Medicine Lodge October 17, 1867, and Leavenworth and a party of his wards were present. “Before the council commenced, the village crier, in a loud voice, gave command to the nations sitting around ‘to be good and behave themselves.’ ”

At Medicine Lodge Creek, October 20, 1867, “Before the council commenced, twelve Osage chiefs made their appearance at the council ground. They had been travelling for ten days to see the commissioners. They appeared tired and hungry. Their

³⁷*Report* commissioner of Indian affairs, 1867.

ponies were also lame from excessive travelling, and had buck skin wrapped around their feet." At this meeting Satanta said: "We need two agents—one for the Kioway and Comanches. There are so many hearts in the two tribes that it requires two. I have no objection to Colonel Leavenworth or any body else in the Commission, but it requires two to distribute our goods properly. For myself and my band we will take John Tappan; the other Kiowas may take Leavenworth if they will." Stanley comments: "Although he said that he had no objection to Leavenworth, still, his dislike to him was only too manifest."³⁸

There was much complaint on the part of the Indians of the wretched quality of the rations furnished by the Government and "the Kiowas, Apaches and Comanches as well as the various tribes in the 'Leased District' [were] quite destitute of the benefit of medical attendance and medicines."³⁹

Leavenworth was constantly harassed by complaints about the raids of his Indian wards and most of his time was spent in efforts to secure the release of white captives taken by the Kiowas and Comanches. In April, 1868, he had started for Fort Arbuckle but was met at Fort Gibson by a messenger from his agency with a notice that "The Kiowas are arriving, women, children, and all . . . two girls—I have talked with Timber Mountain, he says all is good—they had 7 captives—five have died and they have brought in the two that are living . . . I have no trouble with the Indians—the great difficulty is to get something for them to eat . . . The Indians understand that I have sent for you . . . I think Black Eagle is the prime mover."

Denton County, Texas, was the scene of the raid which occurred in January and Leavenworth wrote Indian Commissioner N. J. Taylor from "Kiowa & Comanche In. Agency, Eureka Valley, L. L., 21st May, 1868 . . . I have a sad report to make—About 1st of Jany. Parry-Wah-Soit or 'Heap of Bears' a Kiowa chief started out at the head of a raiding party of nearly one hundred men . . . and killed *eight* persons, took *two* women and

³⁸Stanley, *op. cit.*, p. 254.

³⁹Office Indian Affairs, *Report Book* No. 17, p. 80, October 26, 1867 - October 31, 1868. The Leased District was a tract of land rented from the Choctaw and Chickasaw Indians by the United States Government. It was located west of the ninety-eighth meridian and was designed as a home for tribes which the Government wished to place there.

eight children captives—one woman escaped, the other was left at their first night's camp unharmed—six of the children . . . perished with the cold or were killed . . . two little girls of about 3 and 5 years alone remain alive; these two after a great struggle I got from them and have with me . . .” These two children, Malinda Alice and Susan Fitzpatrick, were six and four years old when brought to the Leased Lands. As their relatives had been murdered in the raid Colonel Leavenworth took them to Washington and placed them in the Protestant Orphan Asylum where their expenses were paid by Congress. Later a bill was passed by Congress appropriating money for the care of the two girls whose names had been changed to Helen and Heloise Lincoln by act of Congress.⁴⁰

In 1868 the commissioner of Indian affairs recommended that a number of military posts be established along the northern and western borders of Texas to protect the people from invasion by the Indians from north of Red River. The Kiowas and Comanches were holding a number of captives and they promised to give them up as their annuity goods would not be distributed otherwise.⁴¹

The wild Indians did not confine their depredations to white people but raided the Chickasaw settlements and killed some of the Indians and there was a demand that Fort Cobb be regarrisoned. *The Fort Smith Weekly Herald* of February 15, 1868, reported that “. . . last week a band of wild Indians went to the house of Overton Love, a Chickasaw, living on Red River, about twenty miles from Fort Arbuckle, and killed him and all his family. This news is reliable, as it comes from good authority.” Governor Cyrus Harris wrote to the department, January 23, 1868, that “. . . The legislature will meet on Monday, the 27th instant, for the purpose of taking into consideration the existing troubles by Comanches, Kiowas, Osages, and other tribes. Times are getting too hot to lay still. Government has taken no steps to put down this thing; and in order to save life and property, we have got to shoulder our arms and march up to the music . . . If something is not done very soon, I shall be compelled to call on the Choctaws for assistance to stop the ingress of all naked tribes

⁴⁰Fitzpatrick Girls of Texas Were Christened by Congress by Carolyn Thomas Foreman, *The American Indian*, Tulsa, October, 1929, pp. 6, 7, 15.

⁴¹Report of commissioner of Indian Affairs, 1868.

into our nation. We have lost too much by them. No less than four thousand head of horses have been taken out of the country by these very naked fellows, who now live and foster on government provisions, under a cloak of treaty. . . The wolf will respect a treaty just as much as Mr. Wild Indian. . .” Taylor, the Indian commissioner, wrote Leavenworth March 10, 1868, to make enquiry respecting the raids and if the Indians belonged to his agency to “Take energetic steps to prevent any further invasion by them of the Chickasaw country, or the repetition of their outrageous acts.”⁴²

The achievements of Leavenworth would be notable alone for the number of captives he secured and restored to their families. That was not easy or pleasant work as the Government insisted that the agent should take the white captives from the Indians without recompense. Apparently that proceeding seemed quite simple from an easy chair in a government office in Washington but it was not possible to deal with the Kiowa and Comanches in that manner. Many of the Indians claimed that they loved their white captives and could not bear to give them up but they were usually persuaded when a sum of money was offered them; naturally that only encouraged them to take more captives. The distracted families of the white captives resented any delay in the restoration of their wives or children and Colonel Leavenworth was in sympathy with them as he witnessed the effects life in an Indian camp had on the captives.

An incomplete list of captives recovered from the Indians by Colonel Leavenworth includes: Mrs. Caroline McDaniels, Rebecca Jane McDaniels in the autumn of 1865; Louisa E. McDaniels, 1866; Alice Taylor, 1865; James Ball, 1865; Willie Ball, 1866; Mrs. Elizabeth Sprague, 1865; James Benson, 1865; John C. F. Blackwell, 1866; Oley Motte, in the spring of 1867; Vina Mars, 1868, twelve years old; Johnny Kirkendall, Alexander Holt, Charley, a black boy, Tom Bailu, Helen and Heloise (name not known) all in 1868. At the time Mrs. McDaniel was captured her husband and sister-in-law were killed. Mrs. Sprague’s oldest daughter, sixteen years old, was killed and two of her children died in the Indian camp.

⁴²Misc. Doc. No. 139, House of Representatives, 41st Congress, second session. According to Gideon’s *History of Indian Territory*, pp. 412-13, Overton Love was still living in 1901.

“In the summer of 1866 a party of No-co-mes charged upon Mr. Bob’s house, in Montague County, Texas; killed Mrs. Bob while defending her children; captured Mrs. Sarah Jane Luster, and Biantha Bob, aged eleven, and Rudolphus, aged thirteen. Mrs. Lustre made her escape from the Comanches; recaptured by the Kiowas, and, after great suffering, made good her escape from the Kiowas. Biantha Bob was ransomed by Dr. Stone, and Rudolphus was ransomed by a Pen-a-tacker chief by the name of Asa Hobit, or the Milkyway. He said he could not bear to see a white man weep for his child.

“The Box family, mother and three daughters, were given up or purchased from the Kiowas by the military at Fort Dodge in 1866. When captured Mr. Box was killed.

“Two of the five captives I reported as held by the Kiowas in my report of the 21st of May, 1868, have been given up at Fort Larned, one by Sa-ton-tu and the other by Timbird Mountain. Neither of these captives was ever near my agency or my camp. I have never failed to get a captive when they came near me, . . . Now, it is reported that two white boys and one girl were captured by the Comanches on the 7th of June last, and one man killed, and the Indians acknowledge it; and it is also reported to the department, from all sources, that the Indians are raiding all the time into Texas, and that the chiefs acknowledge themselves unable to control their young men. What should be done with them with this fearful list of crime and outrage? . . . Shall this supineness of the Indian Department continue, or shall the bureau be turned over at once to the War Department? There is no doubt on this subject. Let the officers of the army act as local agents, and the *honest* Quartermasters buy their goods. . .”⁴³

The record of the life of Colonel Leavenworth after his service on the peace commission was not discovered by the writer in an exhaustive research and correspondence with several state historical societies. It is likely that he was worn out after his arduous years on the plains and no doubt he was happy to join his family in Milwaukee. His death was reported from that city March 12, 1885, at a ripe old age, in spite of the privations and hardships he endured in the service of his country.

⁴³*Ibid.*, pp. 7, 8.

THE KIOWA'S DEFIANCE

By DAN W. PEERY

The Kiowa Indians are perhaps today the most civilized and progressive of any of the former Plains Indians. After living a neighbor to the Kiowas for years, and knowing many members of the tribe, I am convinced that no nation or tribe of people have developed from the savage state, and have become civilized, progressive citizens in so short a time as have the Kiowa Indians now living in Caddo, Kiowa and Comanche counties, Oklahoma.

I would not want to leave the impression that the writer thinks the whole tribe is a civilized, energetic and progressive people, for this is not the case, but its leading men and women are becoming educated and are ambitious to follow the white man's road. Many of them live on, and cultivate their farms with apparently as much success as their white neighbors.

Some of the younger members of the tribe take an active interest in politics but they do not all vote the same ticket. One of the representatives from Caddo county in the twelfth legislature was a Kiowa Indian. He became quite familiar with parliamentary procedure and was an aggressive member, working always in the interest of his constituents, both Indian and white. The chief deputy U. S. Marshal for the Western District of Oklahoma is a Kiowa, and resides in the Capital City. Another Kiowa Indian has made a reputation as teacher of athletics in the schools of the state; while several of the younger members are teaching in Indian schools and others are employed in the U. S. Indian Service.

The one thing in which the Kiowas have excelled, is art. There are four or five young men, members of this tribe who, as painters and blenders of color, are recognized by artists as the equal of any American artist. They have specialized in the painting of Indian pictures, and their work is to be seen in art galleries, not only in America, but also Europe. Some specimens of their art are to be seen in murals in the public buildings of this state. Some of the finest murals are painted on the walls of the Historical Society Building. There is something of a wildness and abandon about their Indian pictures that no white artist has ever been able to reproduce.



CHIEF SATANTA

A large part of the Kiowa children attend school with the white pupils, study the same books and recite in the same classes. The Indian children delight in the athletic side of education. You will find young Indian boys in most of the baseball and football teams organized in schools where there are Indian pupils. The Indian girls participate in basket-ball games and in other contests in which girls take part.

The Kiowas have good physiques and perhaps a stronger individuality than have most any other tribe. Prior to their becoming adjusted to the environments of civilized life, and while they felt that the only way they could maintain their right and hold their possessions was to crush their enemies, they became Spartan warriors, asked no quarter and they gave no quarter. They were not Ishmaelites, but were distinctly a separate tribe of people; had a language of their own so different from that of other tribes that the common sign language was their only means of communication with other tribes.

In later years they became affiliated with the Comanches and as the language of the latter tribe was much easier acquired, a number of Kiowas learned the Comanche tongue, but I doubt if any Comanche ever talked Kiowa language. As the language of the Comanches contained much Mexican-Spanish, more people could make themselves understood by the use of the Comanche dialect. Very few of the old scouts ever learned the Kiowa language, in fact, Jack Stilwell, who knew most every language and dialect spoken by the Indians of the southwest, also the Spanish, disdained the Kiowa language, and when he was United States Commissioner at Anadarko he listened to all testimony wherein a Kiowa was involved, only in Comanche language.

He said, "Comanche will be the court language of the two tribes in my court."

After the so-called Battle of the Washita in November 1868, and the subsequent campaign, the Indians were rounded up at Fort Sill the chiefs of the Kiowas and Comanches agreed to return to their reservations, quit raiding, horse stealing and committing crimes of all kinds against the white settlers. It was not long before some white thieves came over from south of the Red River and stole a lot of the Indian ponies. Then commenced a

series of raids by the Kiowas, assisted by many Comanches on the settlers down in Texas. Many murders were committed, men, women and children were killed and scalped, and much property of the white settlers was stolen, including horses, mules and cattle.

These Indians would return to their reservations and would have the boldness to go to the agency for rations and also wanted more guns and ammunition. It was their claim that they had made no agreement not to raid, murder and steal in Texas. They pretended to regard Texas as "free range."

It was in the Grant administration that the policy was adopted of appointing Quakers in all departments of the Indian service. It was claimed that the religious sect known as Quakers had always been friends of the Indian. They pointed back to the peace treaty of William Penn, with the Delawares, which was never violated.

There had never been trouble between the Indians and the Quakers. The first tenet of their religion was, "Peace on Earth and Good Will to Men." They never went armed, but always relied upon their faith and the goodness of God for their protection. Lawrie Tatum of Iowa was the first Quaker agent. He was a man with a big heart, who had great faith and a strong personality. He had the advantages of a good education, and had executive ability.

The following letter written by Lawrie Tatum from Fort Sill dated May 30, 1871, tells an interesting story of an epochal event in the history of Southwestern Oklahoma, in which, Santanta was the leading character.¹

¹Santanta was recognized as a leader of the most belligerent and blood thirsty faction of the Kiowa Indians. He thought himself a patriot and orator. He attended the Medicine Lodge peace council in October 1868—as one of the chiefs representing the Kiowa tribe. Henry M. Stanley who afterwards became famous for his explorations in Darkest Africa attended this council, as the correspondent of several metropolitan papers, reported the speech of Santanta in part as follows:

"All of the chiefs of the Kiowa-Comanche and Arapahos are here today. They have come to listen to the good word. We have been waiting here for a long time to see you and we are getting tired. All the land south of the Arkansas River belongs to the Kiowas and Comanches and I don't want to give away any of it. I love the land and the buffalo, and will not part with any. I want you to understand that the Kiowas don't want to fight and have not been fighting since the treaty two years ago. I hear a great deal of fine talk from these gentlemen, but they never do what they say. I don't want any of these medicine houses built in the country; I want the children brought up exactly as I am. . . .

[illegible]

L'Assemblée nationale a été
 convoquée le 17 septembre 1791
 à Paris, sous la présidence
 de Louis XVI. Elle a pour
 objet de discuter la constitution
 proposée par le tiers état.
 Le 20 septembre, elle a
 adopté la déclaration des
 droits de l'homme et du
 citoyen. Le 30 septembre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 judiciaire. Le 1er octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 exécutif. Le 2 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 législatif. Le 3 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 administratif. Le 4 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 financier. Le 5 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 militaire. Le 6 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 religieux. Le 7 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 éducatif. Le 8 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 sanitaire. Le 9 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 pénal. Le 10 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 diplomatique. Le 11 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 consulaire. Le 12 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 notarial. Le 13 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 hypothécaire. Le 14 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 de succession. Le 15 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 de mariage. Le 16 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 de divorce. Le 17 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 de testament. Le 18 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 de tutelle. Le 19 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 de curatelle. Le 20 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 de légitimation. Le 21 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 de reconnaissance. Le 22 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 de réhabilitation. Le 23 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 de réintégration. Le 24 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 de réclamation. Le 25 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 de réformation. Le 26 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 de répression. Le 27 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 de réhabilitation. Le 28 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 de réintégration. Le 29 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 de réclamation. Le 30 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 de réformation. Le 31 octobre,
 elle a adopté la loi sur
 l'organisation du pouvoir
 de répression.

Indian is blind and now
it never to be repeated. On
account of these circumstances,
I took, a short time ago,
about 100 of my men, and
with the Chief, Chabank,
Eagle Heart, Big Iron, Big Bow,
Fast Bear, & went to Texas,
where we captured a train
not far from Ft Richardson
killed 7 of the men, & drove
off about 40 mules. Three
of my men were killed, but
we are willing to call it even.
If any other Indian comes here
& claims the honor of beating
the party he will be beating
you, for I did it myself!!
Chabank, Eagle Heart &
Big Iron, with several young
men were present. Was sent
to the camp of the other

on for him while he
was to be.
Our school is going
on. The scholars do not
appear to be uneasy.
I am thy friend
Samuel Palmer,
Ind Agent.

P.S. I would like the
to send this, or a copy of it
to Genl Darlington as
G Smith may not wish
to particularly
L. J.

Office Kiowa Agency
5 mo 30, 1871

Jona Richards
Ind Agent,

"On the 27 inst Santanta with several other Chiefs, women & children & a few young men came after their rations. Before receiving them the Chiefs & some of the young men came into the Office, & Satanta made, what he wished understood to be a "Big Speech," in which he said addressing me "I have heard that you have stolen a large portion of our annuity goods and given them to the Texans; I have repeatedly asked you for arms & ammunition, which you have not furnished, and made many other requests which have not been granted, You do not listen to my talk. The white people are preparing to build a R. R. through our country, which will not be permitted. Some years ago we were taken by the haid & pulled here close to Texans where we have to fight. But we have cut that loos now and are all going with the Cheyennes to the Antelope Hills. When Gen Custer was here two or three years ago, he arrested me & kept me in confinement several days. But arresting Indians is plaid out now & is never to be repeted. On account of these grievances, I took, a short time ago, about 100 of my warriors, with the Chiefs Satank, Eagle Heart, Big Tree, Big Bow, & Fast Bear, & went to Texas, where we captured a train not far from Ft Richardson, killed 7 of the men, & drove off about 41 mules. Three of my men were killed, but we are willing to call it even. If any other Indian

"When I look upon you, I know that you are big chiefs and while you are in the country we go to sleep happy and are not afraid. I have heard that you intend to settle us on a reservation near the mountains. I don't want to settle there. I love to roam over the wide prairie, and when I do it I feel free and happy; but, when we settle down we grow pale and die.

"Harken well to what I say. I have laid aside my lance, my bow and my shield, and yet I feel safe in your presence. I have told you the truth. I have no little lies hid about me, but I don't know how it is with the commissioners; are they as clean as I am? A long time ago this land belonged to our fathers, but when I go up the river I see a camp of soldiers, and they are cutting my wood down or killing my buffalo. I don't like that; when I see it my heart feels like bursting with sorrow. I have spoken."

Concerning this Stanley writes, "Few can read the speeches of the Indian chiefs without feeling a deep sympathy for them; they move us by their pathos and worshipful dignity, but they are asking the impossible. The half of a continent could not be kept as buffalo pasture and hunting ground."

Stanley, Henry M. Autobiography. p. 226.

come here & claims the honor of leading the party he will be lying to you, for I did it myself."

"Satank, Eagle Heart & Big Tree, with several young men were present & assented to the correctness of the statement. I at once went to Post to see Gen Sherman & Col Grierson. Satanta followed me. They sent for the other Chiefs, and made preparations to arrest them. Satanta, Satank, & Big Tree were arrested. Eagle Heart had got nearly to the Post, when some young Indians commenced shooting arrows at the Soldiers, who returned the fire & killed one Indian. The women & children who were camped near the Commissary were on thin ponies, in several instances, two on one, & fleeing to the timber in about two minutes.

"The prisoners are in irons, kept in one of the stone buildings. Before leaving Kicking Bird & some others, plead with Gen Sherman in their most eloquent stile for the release of the prisoners. He intends to send them to Texas.

"I feel very glad that Gen Sherman was in Texas, when he was, & here at this time. I think he understands Indian affairs better than when he left Washington. He has not heard from the troops who started on Satanta's trail. They were probably stoped by the sudden rise of Red River.

"Last night there was supposed to be about 200 Indians in the timber back of the Post. But it may be a false report, No one knows what to look for from the Indians. Gen Sherman I believe intends to compel the Indians to go onto their respective reservations, but he cannot do it at once. He leaves for Okmulgee this morning. Lizzie Smith left yesterday morning.

"Col Grierson & I wish to see Warloopa, Jake & some of the head men of the Caddo & Delaware Indians. Please have them to come here soon

"Please send the letter to Agent Darlington. He will want to know how affairs are here. Geo Smith is writing one for him while I am writing to thee.

Our school is going on. The schollars do not appear to be uneasy.

In love thy friend

Lawrie Tatum,

Ind Agent.



SANTANK

"P. S. I would like thee to send this, or a copy of it to Agent Darlington as G. Smith may not write so particularly. L. T"

When this letter, from the agent Lawrie Tatum, was written the Kiowa prisoners were in the guard house at Fort Sill. Some time afterwards Lawrie Tatum wrote a book, entitled, "Our Red Brother," in which he recites some of the things told in his letter above and also tells the events that happened soon after the arrest of these Kiowa insurgents who boasted of the crimes they had committed in Texas.

He writes: "A day or two after the arrest Colonel McKenzie in command of the troops at Fort Richardson, arrived at Fort Sill, and reported that the recent heavy rains so obliterated the track of the raiding Indians that they could not be followed. In a few days the Colonel with his troops took charge of the prisoners to convey them to Texas for trial. Satank was so refractory that he was put in a wagon with two soldiers to guard him, and Satana and Big Tree were placed in another wagon. George Washington, a Caddo Indian rode by the side of the wagon as they left the Fort. It was on this journey Satanka said to him: "I wish to send a little message by you to my people", "Tell my people that I am dead." I died the first day out from Fort Sill. My bones will be lying on the side of the road. I wish my people to gather them up and take them home. Tell my people to take the forty one mules that we stole from Texas to the Agent, as he and Colonel Grierson requires. Don't committ any depredations around Fort Sill or in Texas."

The way Agent Tatum tells of the tragedy that resulted in the death of Satank is as follows:

"When about a mile from the Post, Satank sang his death song. Then, with his back to the guard drew the shackles off of his hands, by taking some of the skin with them. With a butcher knife in hand which he had secreted, altho' twice searched by soldiers, he then started for the guard in the front of the wagon. They both jumped out leaving their guns. Satank picked one up and commenced loading it, when he received several fatal shots and in twenty minutes died in savage agony. There was cause to believe that he had killed many white people also Indians in addition to the last seven, for which he was arrested. He was

buried by the soldiers at Ft. Sill. The Indians were told that they might take him up and bury him at their own camp which they declined to do."

Perhaps this story would not be complete without telling something of the fate of the other two prisoners who were guilty of the murder of the seven Texans and of many other atrocities committed by this branch of the Kiowas while raiding in Texas. Horace P. Jones the well known interpreter attended the trial at Jacksborough, Tex. The two prisoners Satanta, and Big Tree,² were both found guilty of murder in the first degree, by a jury and were sentenced to be hanged on September 1, 1871. This sentence was never executed for, thru the influence of Agnt Tatum, General Sherman and other men prominent in the Indian service, the Governor of Texas was induced to commute the sentence to life imprisonment. However, both of these Indians were paroled in two or three years in consideration of an agreement made which the Kiowa tribe, in which, all the head men of the tribe agreed to cease raiding in Texas and live at peace with the white people and other Indians. The terms of this agreement were not kept and Satanta was returned to the Texas penitentiary to finish his life sentence. Satanta committed suicide by jumping from a window in the Huntsville, Texas penitentiary shortly after he had been returned for breaking the terms of his parole.

²Big Tree was afterwards paroled and returned to the reservation. He was allotted land in 1901 in what is now Kiowa County. He lived on his allotment, a few miles southwest of Mountain View, until his death in 1932. He was an old man when he died, and had for many years lived the life of a good Indian and citizen. He became converted to the Christian religion soon after his return to the reservation, and became a religious worker among his people. He had been a Baptist preacher for many years and his influence had been for good.

DIFFICULTIES ENCOUNTERED IN ISSUING CHEYENNE AND ARAPAHO SUBSISTENCE 1861-1870

By Martha Buntin

The year 1865 found these United States again one nation. The soldiers of both armies having been mustered out they were now home-seekers. Again westward migration filled the new lands with long trains of covered wagons. These people were making homestead filings on the hunting grounds of the Plains Indians. The Indians felt the intrusion of the white settlers on their hunting ground, as detrimental to their way of life. The problem faced by the already harassed government was to protect its citizens. Since the beginning of the settlement on the North American continent they had constantly pushed the Indians back, back into the interior of the nation, into that land termed as the great American desert; but now this land was considered desirable for homestead settlement, and there was no place to remove the Indians except to the Indian Territory. But this territory was too limited to supply the game necessary for their subsistence, and the government would necessarily have to issue beef to them to supply the food to take the place of that they had always had as the result of the chase.

If this policy was to be placed into effect within the short time allowed for it an organization, already functioning, had to be given the work; thus the Army Commissary Department was pressed into service and a new department created for the feeding of the Indians. Even with the installation of the Quakers in 1869 under the peace policy of President Grant, this organization was forced to continue its work for it was not considered expedient that the Quakers take over this important function until 1870. Captain Seth Bonney was appointed to issue rations to the Cheyenne and Arapaho Indians who were then in the vicinity of Camp Supply in spite of the fact that their reservation was definitely established on Pond Creek. His first report was as follows:

General:

I have the honor to report that I arrived here on the 13th inst. and receiving instructions on the 15th from Bvt. Maj. W. A. Elderkin, C. S. entered upon my duties on the 16th inst. and issued rations to thirteen hundred and thirty-five (1335) Arapahoe Indians and to one hundred and sixty-five (165) Cheyennes upon ration returns approved by Bvt. Col. W. A. Nelson, the temporary superintendent of these tribes.

The remainder of the Cheyennes are expected soon to come for rations numbering about two hundred and forty lodges, averaging it is presumed about five souls to a lodge.

I find no agents here for either tribe. I received stores from Lieut. W. M. Williams 3rd Inftry. A. C. S. at this camp and am instructed by Maj. W. A. Elderkin and Col. Nelson to issue to Indians every five days.

It is estimated that there are at this camp sufficient stores to provide the Indians rations until Sept. 1, 1869 exclusive of what may be required for the troops. This may not be a close estimate, as there may be more troops and more Indians to be rationed.

I respectfully call your attention to the fact that the store houses here are scarcely calculated to hold and protect from the weather the subsistence stores for Indians and request that thirty (30) new Paulins be sent me immediately for the covering and protection of stores which may arrive here before proper store-houses or shelter can be provided for them. The A. C. S. at this camp has no Paulins which are of any value not in use nor has the Quartermaster more than he uses.

I request the following articles immediately and have forwarded requisitions for them viz:

One (1) Platform Scale
Six (6) Hatchets
Six (6) Butcher Knives
Six (6) Butcher Steels
Six (6) Meat hooks
Thirty (30) Paulins (New)

One (1) Field Desk

One (1) Field Table '

To this rather long letter reporting the conditions of the Commissary supplies for Indians and requesting, urgently, that supplies be forwarded, he added the complaint of the Indians concerning the cutting of sugar and coffee from the rations issued were very bitter and, in his opinion, should be re-included.

It was not many hours service in the capacity of Subsistence Officer, before Captain Bonney found the position difficult and rather *unique* for it was not a part of the regular army subsistence department but was an appendage of that organization without any definite status. He found that he had to issue rations to more than three thousand Indians at a distance of seven or eight miles from the camp for they refused to come after them and even suggested that they should be brought more often than every five days. A complete record of every pound of salt, sugar, beef, etc., had to be kept for his reports. The Indians refused to co-operate in any way, work, they would not, as work would disgrace them in the eyes of their own tribesmen. Laborers were not to be found and the incoming supplies had to be unloaded on the prairie near Camp Supply.²

To assist him in carrying out these duties, he declared that he had to have the assistance of two clerks and that he needed at least six laborers. But the Department of the Missouri was adamant in declaring that this was not necessary; however they were at last convinced that these employees were necessary and allowed them to remain.

General Morgan was most anxious to have the supplies properly protected and instructed Captain Bonney to "hurry up the storage". The poor Captain found his orders impossible to carry out and when he was ordered to hire Indians to yoke Texas steers to haul the timber for the store houses, he reported that the Indians

¹Captain Seth Bonney to Bvt. Brig. General M. R. Morgan, July 20, 1869. Camp Supply, I. T. Letterbook p. 2-3. This letterbook is now in the Oklahoma Historical Society Building, Oklahoma City, Oklahoma, having been removed from the Cheyenne and Arapaho Agency, Concho, Oklahoma under the Hastings Act of 1934. These letters used in this motif are found in this book.

²Bonney to Morgan, Aug. 6, 1869, p. 15.

would not work, only an expert could handle these wild cattle under the yoke.³ The matter was dropped.

Brinton Darlington, the Cheyenne and Arapaho Indian Agent, appointed by the Quakers, was serving as Indian Agent at Pond Creek, Indian Territory, as instructed by the United States Government. The Agent was there, the reservation was laid out, but the Indians were near Camp Supply and flatly refused to be dispatched to this reserve. Bonney commented upon this:

“The Indians are all quite well satisfied with the arrangement, but all the Cavalry in the Department cannot drive them to where Agent Darlington is (at Pond Creek) in my opinion, for they would scatter to the four winds, in the event of attempt to force them to this I believe.

Colonel Nelson still remains here much to his disgust. A Quaker delegation is expected today to look the interest of Brother of Darlington, who has yet to find his Indians.”⁴

No supplies for the Indians arrived and Bonney was forced to continue his borrowing from the Army; the Indians were all hunting and did not come near enough to Camp Supply to have rations carried out to them; Captain Bonney repeatedly requested the immediate delivery of rations in order to facilitate the functioning of the governmental policy; and constantly, as the winter months drew near, he requested speedy construction of the storehouses.

The first shipment of supplies consisting of bacon and shelled corn arrived. Without store rooms there was no place to store these rations so they were unloaded on the prairie under the boiling hot August sun; the bacon began to melt; Bonney reported the difficulty and forwarded his receipt for twelve hundred pounds less than the shipping weights. Bonney protested the correctness of his weights and then laid the error to the melting on the hot prairie.⁵

He decided to erect store houses without more delay; arranged to have timbers cut by laborers secured from passing wagon

³Bonney to Elderkin, Aug. 7, 1869.

⁴*Ibid.*, p. 16.

⁵Bonney to Morgan, Oct., 27, 1869, p. 34.

trains; and had the work well under way when he received unofficial notice of the letting of contracts for the erection of the buildings. He stopped all work on the buildings and wrote by the weekly mail for definite information.⁶

Before the arrival of the contractors to begin working on the buildings Brinton Darlington brought a letter to Bonney from Enoch Hoag, Superintendent of the Central Superintendency, concerning the proposed removal of the Cheyenne and Arapaho Indians to some other part of the Territory in the spring. Bonney notified his immediate superior, W. A. Elderkin, of the proposed removal of the Indians and the departure of Darlington with a delegation of Indians to locate a territory not otherwise appropriated, which might be satisfactory to the Indians.⁷ Due to the slowness of the mail service, the contractor arrived before a reply to the letter and Bonney requested him to delay until he had definite instructions from his superior since the immediate removal would make the store houses valueless to the Indians.⁸ He was instructed to allow the erection of the building to be continued as contracted for in order that they should be ready by November.⁹

Darlington and his Indians returned from their visit to other parts of the territory and Bonney reported:

"I have only time before the mail leaves to inform you that Indian Agent Darlington returned from his expedition in search of a suitable location for the Cheyenne and Arapahoe Indian Agency on the 16th inst. and the most I can learn of him is that he found a spot about one hundred miles from here on the North Fork of the Canadian River of sufficient area to provide a farm of eighty acres for every male person over eighteen years of age of the two tribes of Arapahoe and Cheyenne Indians of good arable land with plenty of grass, water, wood and some building materials in the shape of stone with quite a quantity of Oak timber, much of it is bottom land though he thinks the rolling land there to be productive also. He did not fix the location to be acted on afterward, but he returns to make a report upon it,

⁶*Ibid.*, Sept. 1, 1869.

⁷Bonney to Elderkin, Sept. 3, 1869

⁸*Ibid.*

⁹Bonney to Morgan, Oct. 1, 1869, p. 66.

so there is yet a long time to wait before it is definitely known whether the Agency will be removed before next spring.¹⁰

The Indians were not willing to be settled on any one place, nor were they very anxious to have the rather pitiful supplies provided for them by the government. The rations were not definitely defined by the treaty. Should the Indians be issued corn, flour, hard bread, sugar, coffee, beef? How much of each should be given? Various opinions, all conflicting, were held by the numerous persons interested. Since the Indians were to be restricted to a certain limited area, beef was of importance and the keeping of a beef herd near the agency was a constant chore for Captain Bonney. The contractor, Powers and Company, often failed to have the beef on hand when the Indians came near the post and often Captain Bonney was frightfully perturbed at times for he feared that the Indians would leave and not return at the appointed time if he failed to have supplies for delivery when they were ready to have them delivered.

Shortly after the return of Darlington to the vicinity of Camp Supply, General Morgan instructed Captain Bonney to turn over the necessary supplies to the Indian Agent for issue to the Indian. This resulted in more clerical work and caused friction for Darlington permitted the Indians to kill their own cattle and was unable to return the beef hides to the Commissary Department as required by the Department of Missouri. On this situation he reported to General Morgan:

"... I have before alluded to the difficulty in obtaining the beef hides of the Indian Agent, who cannot get them of the Indians . . . and may say that the hides cannot be in good condition when the beeves are killed by the Indians. As the killing of beeves affords them too much amusement (they not desiring to kill them at once, but to give them chase; they perforate the hides with arrows and bullet holes) to be sacrificed when required to kill their own cattle."¹¹

The scales, ordered in the first request, arrived without the necessary lumber to set them up; constant requests for it failed to have it sent so that the supplies had to be weighed either on

¹⁰Bonney to Elderkin, Sept. 18, 1869, p. 58.

¹¹Bonney to Morgan, Oct. 1, 1869, p. 67.

small scales or at the point of transit and the beef animals had to be estimated by the officers and the contractors. There was no assurance that the cattle would be ready for issue when they were needed even after they had been delivered within a few miles of the agency for:

“A fine herd of 128 beeves was brought here after being kept about a week suddenly disappeared and has not been recovered.

It was said to have stampeded to the bluffs one night, although there were six herders in charge of it. Its disappearance is unaccountable to me. I communicated officially with Joseph Fenton, the agent of Powers and Co. reminding him of terms of contract, not having a sufficient supply of beef on hand and he has gone to procure more beef. . . .”¹²

As the Department of the Missouri was in accord with Bonney as to the import of maintaining a sufficient herd of beef cattle about the agency to issue whenever the Indians were in the vicinity, it was decided that a number should be purchased by the government and held in readiness for issue. This seemed to be an excellent idea even though the expense of herders was added to the issue of rations. In October very cold weather set in and the cattle refused to graze. Bonney was forced to secure additional feed for the animals. He discovered that there was a shortage of hay in the vicinity of Camp Supply and was forced to purchase it at a cost of twenty dollars per ton. He reported on October 30 to General Morgan:

“I have purchased in Open Market fifty (50) tons of hay to be delivered between this date and November 15, 1869. At twenty dollars per ton. Major Elderkin was present and understands the necessity for the hay and also that I could not buy it cheaper. I was led to think a fortnight since, that I could purchase it for about 10 dollars from the contractor who is furnishing it for the Quartermasters Department. But extensive fires have prevailed since and frosts have injured the grass and I am even fortunate in getting it at that price now. Other parties holding hay at 22.50 per ton.”¹³

¹²Bonney to Morgan, Oct. 1, p. 67.

¹³Bonney to Morgan, Oct.. 30, 1869, p. 91.

With the setting in of the cold weather, the Indians found it much more simple to permit the Commissary Department to bring beef and other supplies to them rather than going after buffalo, and in this manner they greatly reduced the number of beef cattle held by Captain Bonney making the amount of hay purchased greatly in excess of the need for the herd held. He had not long to worry about the great quantity of hay for the D. W. Powers Company who were to supply cattle for the Indians were most anxious to relieve him of the additional hay for the grass for many miles about the camp had been burned and there was not enough feed in the country for the herds of cattle held under contract for the Indians and the fort. Bonney was most glad to report the possible disposition of the additional hay.

Nor was the beef the only great difficulty faced by the officer in charge of the feeding of these Indians, for there was a constant fear that the supplies would not arrive, he reported that the sugar received was very dark and damp but even inferior sugar was appreciated by the Indians who on the other hand disliked the corn ration, declaring that it hurt their teeth and Bonney recommended the expenditure of the funds spent for the corn be utilized in purchasing sugar and coffee which were really desired by the Indians.¹⁴

Flour, purchased by the Commissary Department from a sample was to be supplied for the Indians and each shipment to be carefully compared with the sample. For a few months the flour came in equal to the sample but in November, heavier and darker flour came in and Bonney was at a loss to know what to do; it made good bread, he reported, yet it was not equal to the sample, and flour he had to have without delay. Therefore, Bonney decided to reprimand the contractor and accept the flour unless the Department of Missouri should object.¹⁵

November 14, Bonney reported:

"The mechanics are delayed by want of lumber in completing storehouses No. 2. I can get nearly all of the stores into No. 1."¹⁶

¹⁴Bonney to Morgan, Nov. 20, 1869, p. 107.

¹⁵*Ibid.*, Nov. 6, 1869.

¹⁶*Ibid.*, Nov. 14, 1869.

By December the store houses were completed and Bonney received the remainder of the flour called for in the contract of Powers, Oten, Lowe and Company. He immediately forwarded a sample to General Morgan advising him of its inferiority to the other flour received, even to that which he had protested as being slightly inferior. The flour was rejected.¹⁷

General Morgan considered designated mixed vegetables desirable for issue to Indians, but Bonney was skeptical as to their usage of these supplies. He was willing to issue hardbread in lieu of flour for they liked such prepared food, but he was so certain as to the inadvisability of the vegetables that the matter was finally dropped.¹⁸

With the erection of the store houses, the arrangements for the delivery of beef, and the store houses filled with supplies for the winter, the greatest worries of the officer in charge were dispelled, but the constant monotonous reports had to be prepared, rations hauled to the camps which might remove a few miles without notice, and the constant minor differences between the regular army and the special officer make the post one not to be desired. Therefore Bonney was no doubt glad to be relieved of his post on January 7 and leave the problems of feeding the Indians in the care of Silas Pepoon, 2nd. Lieut. 10th Cavalry, who was in turn relieved by Captain H. I. Ripley, to whom the duty of issuing of rations to Indians of the Cheyenne and Arapaho tribes was given until this office was taken over by the Quaker Agent, Brinton Darlington, July 1, 1870.

Captain Ripley found the store houses prepared by Captain Bonney of little use for in the spring the removal of the Indians began and the rations had to be hauled great distances to reach his charges, who were constantly on the move and had as yet not definitely located themselves on the North Canadian.¹⁹

¹⁷*Ibid.*, December 5, 1869.

¹⁸Bonney to Morgan, Oct. 10, 1869, p. 77.

¹⁹Ripley to Morgan, June 18, 1870, p. 199.

HON. MILTON W. REYNOLDS

(Kicking Bird)

By DAN W. PEERY

Born May 23, 1833, and died August 9, 1890.

In the December 1934 number of the *Chronicles of Oklahoma* was published a sketch of the life of George W. Steele, the first Territorial Governor, from which these lines are copied:

“The Governor issued his proclamation on July 8, 1890, calling an election to elect twenty-six members of the House of Representatives and thirteen of the Council to constitute the first legislative assembly. The date set for this election was August 5, 1890. The legislature was to have convened Aug. 12, following; but owing to the death of two members elect, a special election was called and the convening of the legislature was postponed until Aug. 27.”

In this sketch of the life of the first Governor nothing was said concerning the two members who died in August 1890, the first of whom was C. M. Burke, who died of malarial fever on Friday following the election. He was a Democrat and was succeeded in the second election by Maj. Moses Neal. Burke was an ambitious young man, and his passing so early in life was sincerely regretted by the hundreds of friends he had made in the campaign for his election.

The other member who died before the convening of the legislature was Hon. Milton W. Reynolds, better known as a writer under his nom de plume “Kicking Bird.” Mr. Reynolds was elected as the representative at large, his district included the whole of the seven counties constituting the territory. (At the special election to fill the vacancy, A. M. Colson of Kingfisher and Caldwell, Kansas was elected to succeed Reynolds).

There was no other man elected to the first Territorial legislature better known, or who had so wide an acquaintance as did Milton W. Reynolds. Throughout the entire country he was known as a brilliant newspaper correspondent and graphic writer. It can be truthfully said that he was the most prominent and distinguished man who had been elected to either House of the first



MILTON W. REYNOLDS
KICKING BIRD

Territorial legislature. Much was expected of him in framing the laws for the territory and his untimely death was a loss to the law making body. Every one who had read and kept up with the trend of western development knew of Milton W. Reynolds as he had not only been an editor in two or three states, but was a well known newspaper correspondent under his pen name, "Kicking Bird." He had long been considered the most reliable authority upon Indian affairs and his views pertaining to the opening of the public lands to white civilization were read everywhere. He not only wrote *copy*, but he wrote as a literary man, and his articles contributed to the press were not only interesting and well written, but they were instructive. There were not many events of great enough importance to be recorded, which had taken place in Kansas, Nebraska or Indian Territory, between the close of the Civil war and the opening of Oklahoma in 1889, that Reynolds did not write about for the papers he represented.

We find Milt W. Reynolds at the Peace Council at Ft. Smith, Ark., in September 1865. This council was held for the purpose of making new treaties between the Government and those Indian tribes that had cast their lot with the South.

As press correspondent for the New York Tribune and other papers, he wrote copiously concerning this council and issues involved. In 1890 Mrs. Marion Tuttle Rock wrote the "Illustrated History of Oklahoma." The introduction to this history was contributed by Milton W. Reynolds, and in this, he stated that he attended the Ft. Smith council and gives in some detail the account of this great event in the history of the Southwest. Mr. Reynolds' story follows:

"The council of 1865 was a notable one. On the part of the Government such distinguished statesmen and generals as W. T. Sherman, General Parker, Governor Stanley, of Minnesota; Senator Henderson, of Missouri, and Judge Cooley, Commissioner of Indian Affairs, acted as commissioners. The representatives of the Indian tribe were no less conspicuous and brilliant. Indeed, if the truth must be told, so far as power of expression, knowledge of Indian treaties, and real oratory were concerned, the Indians had decidedly the advantage. Their great leaders, John Ross and Col. Pitchlynn, were still living, and were active participants in

the grand council. John Ross had been chief of the Cherokees for over forty years. He had governed wisely and well, and no one man ever had such a power over the Cherokees as had this noted chief. Col. E. C. Boudinot was then comparatively a young man, but he was then, as now, the most gifted and powerful in eloquence of all the Cherokees. He was just out of the Confederate Congress at Richmond, as delegate from the Cherokees. He was fiery and excitable, but not pyrotechnic and lurid. His eloquence was heroic and impassioned, but not vapid or ebullient. He was a pronounced figure in the convention, and though difficult to restrain, he gradually became conservative, and his ancient loyalty to the Government was restored, and from that day to this no man among the Cherokees has been more loyal to the flag nor more desirous of carrying out the known policy of the Government towards the Cherokees and other Indian tribes. Mayes was then an unknown quantity. Ex-Chief Busheyhead has acquired his fame among his people since the date of that council.

The commissioners on the part of the Government were charged with making known to all the tribes of the Southwest the policy of the Government, who were assembled, it was reported, seventy-five thousand strong, numbering not so many, but a very great multitude of chiefs, warriors, sachems, leading men, women and children. The Cherokees, Cheyennes, Chickasaws, Choctaws, Seminoles, Creeks, and the tribes of the plains, including Kansas Indians, nearly all came. The Indians were told that the war had ended, peace had been proclaimed, that the work of reconstruction and rehabilitation was now being carried on between the North and the South, and that the former relations of the semi-civilized tribes with the Government must be restored; that they had gone into the rebellion, and consequently forfeited all treaty rights, and that all property once owned by them was now under the terrible ban of confiscation. But the Government, the commissioners said, was not disposed to deprive them of a home; that their red brothers who had remained loyal must be provided with homes; that the persons they had recently sold as slaves must be declared freedmen, and have the same rights as themselves if they chose to remain members of the tribe; and that consequently their former reservations, if restored to them, must be curtailed and restricted in order that the freedmen and loyal red brethren in the North

inhabiting Kansas, Nebraska, and the Dakotas might have homes among them. It was largely a Kansas idea, and prominent Kansas men were there to enforce it. General Blair and Hon. Ben McDonald, brother of Senator McDonald, of Arkansas, Gen. Blunt, Eugene Ware, C. F. Drake, the Fort Scott banker, and others were present as persistent inside counsellors and lobbyists. Kansas was then plastered all over with Indian reservations. She wanted to get rid of the Indians, who owned all of her western plains and her choicest lands in Southern Kansas. It was a matter of compulsion with the Indians. They had lost all rights of property and all title to lands. Consequently they yielded whatever was asked. The Creeks and Seminoles ceded the western portions of their reservations, including Oklahoma—the home of the red man—to the Government, for the purpose, as the Government declared, to colonize friendly Indians and freedmen thereon. Thus title parted from the Indians, and Payne and his boomers declared it was public land and open to squatter settlement. Practically they were correct; technically they were wrong, as the ceded lands became Government lands, as no act of Congress had thrown them open to settlement. Consequently Payne and his followers were technically trespassers, and could not acquire inchoate squatters' rights. Payne was a typical boomer, big-brained, big-hearted, broad-breasted and broad-shouldered. He was built to carry a great burden of responsibility. He was as brave as a Numidian lion. It was his constant agitation of the question of opening Oklahoma to settlement, together with the wise counsels and fearless acts of such dauntless spirits as Captain Couch, that finally compelled Congress to act."

Milton W. Reynolds also attended the Medicine Lodge Council in the fall of 1867. Among other correspondents at that historical council was Henry M. Stanley representing the New York Tribune; the man who afterwards became famous for his exploration of darkest Africa. It was at this council Reynolds first met that good-natured, amiable Kiowa chief "Kicking Bird." They became friends and visited together much of the time while the negotiations were pending. It was after this great Indian Council that he took the name "Kicking Bird" as his pen name and he was more widely known by his *nom de plume* among newspapers and magazine readers than by his real name.

He visited the International Fair at Muskogee, which was held for the first time in 1874. If we could collect all writings of Milton W. Reynolds, we would have a most valuable contribution to the history of the West.

His whole heart and soul was interested in the opening of Oklahoma to homestead settlement. He was not what was usually considered the type of man for a real boomer, yet he knew all the leaders of the "Boomers" and helped to give the movement the publicity necessary to force the opening of "unassigned lands" in the Indian Territory to settlement. He knew all the objections and understood the difficulties in the way that might prevent the President or Congress from declaring that tract of land known as Oklahoma, as a part of the public domain and therefore subject to homestead entry. He was in Washington representing the "Boomer" movement and had much influence with senators from Kansas, and other western states,

It is to be regretted that the fame of the man who did so much to promote the opening of Oklahoma, which has resulted in the creation of one of the richest and best states that now constitutes the American union, has almost been obscured by the dust of time while the more spectacular type of men have received all the honor.

Two years after the death of Milton W. Reynolds, Joe Quein, a well known newspaper man who was associated with Reynolds at the time of the latter's death, gave out a press interview concerning the life and services of his late partner in the publication of the *Edmond Sun*.

Quein and Milt W. Reynolds only a few days after the opening, April 22, 1889, started the *Guthrie Herald*, but in a few weeks they moved to Edmond where they founded the *Edmond Sun* which paper is now in its forty-fifth year. Quein was president of the Oklahoma Press Association for the year 1892-1894. He died July 8, 1907.

The interview with Quein is, in part, as follows:

"It was at Medicine Lodge that Milt Reynolds came near losing his life at the hands of Black Kettle, the most blood-thirsty of all the plains Indians. He became offended at Reynolds, and

was in the act of tomahawking him, when old Kicking Bird, another Cheyenne chief, interfered and saved Reynolds' life. Kicking Bird and Reynolds became great friends after that, the old chief calling Reynolds "The Paper Chief", a name by which he was known to many of the Indians. After the death of Old Kicking Bird, Reynolds adopted his name in all his newspaper correspondence and the name "Kicking Bird" became as well known to the reading people of the west as was the original of the name among the Indians of the plains during the days of Indian warfare.

"The writings of Milt Reynolds were widely copied, and as his great forte was sketches of a historical nature, it is to be regretted that some of the papers containing his write-ups of what is now western Oklahoma are not safely preserved among the archives of the historical society. These writings are now in the possession of his daughter who lives at Hamburg, Michigan, and should be secured, if possible as they tell a tale of the Cheyenne and Arapaho country and other portions of Oklahoma which will never be told as truly or graphically by any one else.

"Milt Reynolds was truly the paper chief of Kansas and Oklahoma he being a pioneer newspaper man in the west. His last and best newspaper work was done in Oklahoma, and today his body lies in the cemetery near the town of his choice, Edmond, Oklahoma. His grave is well cared for, but a monument should mark his last resting place and this monument will, sooner or later be placed there by the newspaper boys of Kansas and Oklahoma, aided by the men in the former state that he did so much to make."

Oration of Hon. Sidney Clark—From Edmond Sun

The passing of Milt W. Reynolds, so soon after his election, was a great shock to the people of the new Territory. Many people attended his funeral services which were held from a church at his home in Edmond on the afternoon of August 10, 1890.

¹Joe Quein was in error when he refers to Kicking Bird as a Cheyenne as he was a Kiowa. The old Chief Kicking Bird had a son who was also known as Kicking Bird. This son was a Christian and did much missionary work among the members of his tribe. The son lived near the Wichita Mountains south of Carnegie and his death, only two or three years ago, was mourned by his people. He had the respect of both his Indian and white neighbors. The statement made in regard to Black Kettle being the most "blood-thirsty" of all the plains Indians might also be challenged.

The funeral oration was delivered by Hon. Sidney Clark of Oklahoma City. The following is an excerpt from his address:

“For the second time since my residence in Oklahoma I am called upon to say a word at the grave of a dead friend. In this hour of grief, when death has come all unwelcome and unbidden to a friend of more than twenty years, I wish I had had time to prepare to speak of him as I know he would speak of me if he was standing in this presence today and it was my lot to be borne to the solemn silence of the tomb. In an hour of triumph conspicuously honored by his party and by the people of Oklahoma, a loving husband, a devoted father, a respected citizen, a faithful friend, a man of the people and for the people, a man of commanding ability and high personal honor, has suddenly closed the battle of life and while we weep and mourn with feelings of unutterable sorrows he has stepped without fear and without remorse on the other shore. Death has come to him as it will come to us all, but as I believe in the nobility of man, in the immortality of the soul and in the justice of Almighty God, so I believe that our dead friend—this man of acute intellect, of varied learning, of rich experience, of cheerful heart—the well wisher of his race, has trod the royal road from earth to heaven.

“My acquaintance with Mr. Reynolds commenced in the spring of 1865 at Lawrence, Kansas. He was of English descent, and was born in Elmira, N. Y., May 23, 1833. At four years of age he came to Michigan with his parents. His ambition as a boy was to obtain a liberal education, and he struggled for it with all the energy which characterized all the efforts of his after life. So diligent was he in the pursuit of his studies that he mastered and taught Latin and Greek before he entered the University of Michigan in 1853. He graduated in 1856 with high honors. Among his classmates were many men of whom I have often heard him speak, and who have since risen to fame and fortune in all the walks of life. He had editorial experience in Michigan, removed to Nebraska and became editor of the Nebraska City News, which he conducted for several years with signal ability. While yet a young man he wrote with a ready pen, incisive and vigorous to a remarkable degree. At that time there were many able men in Nebraska, but the young editor and speaker was in the front ranks of thought and action. He belonged at that time to the Douglas

school of politics, and was twice elected to the legislature of Nebraska. He was intensely loyal to the country in its hour of danger, and his appeals in behalf of the Union in the press and in his public speeches were most eloquent and effective. For two years following 1862 he was the commercial editor of the *Detroit Free Press*, which position he filled with distinguished ability. From the time he came to Kansas in 1865 up to the time he came to Oklahoma his life was an indissoluble part of the history of the state. He was proud of its rapid growth, jealous of its honor, a friend of all that was good and progressive in its civilization, and tremendously in earnest in promoting its development and prosperity. I can hardly recall any notable public event during his residence in Kansas of which he did not speak and write, and with which he was not in some way identified. He was a born journalist. At different times he published some of the ablest newspapers in the state, and there are many men now in public life who are indebted to the vigor of his pen for the reputation they now enjoy. He was a member of the legislature, a regent of the state university, and held with honor to himself many other positions of trust and responsibility. He was broad and Catholic in his views on all great questions of the day."

Mr. Clarke went on to speak in the most affecting manner of Mr. Reynolds' life in Kansas and in Oklahoma. He described many incidents in his public life. "Among all the men I have known connected with the Kansas press, I can recall none," said Mr. Clarke, "who wielded a more fertile pen or who wrote with more effective vigor in the clash of a political battle. But there was nothing of malice in his nature, and when the conflict was over he was kind and generous to a fault." Mr. Clark also spoke of the able articles written by Mr. Reynolds for the *Kansas Magazine* in behalf of the settlers on the Osage ceded lands, and of the powerful effect they had in determining that great controversy in favor of the settlers. "He was intensely interested in the development of the public domain and in consequence early here on this soil a new commonwealth was to be born, and he worked and espoused the cause of those who demanded the opening of Oklahoma to homestead settlement. In fact, he was among the first to clearly discern that struggle for the day when it should spring into life. He was here at the birth, and it was his laudable

ambition to be a leading factor in building on foundations safe and strong the new state of Oklahoma. Because of his marvelous abilities and intense nature his services in our first legislature would have been of great value to the territory he loved so well. In the providence of God he has been taken from us, and we know not why. While we bow in humble submission to the will of Him who doeth all things well, and mourn our irreparable loss, let us cherish his memory for what he was on earth—one of the ablest and best and bravest of men. To his stricken family, his devoted wife and invalid daughter, let our hearts go out in profound sympathy as the mortal remains of the husband and father go back to dust. The brilliant intellect, noble life and surpassing love of that husband and father will be the pride of the future and will grow brighter as the years go on.”

Most of the leading newspapers of the West published accounts of the death of Milton W. Reynolds, and many of them gave a synopsis of his life and public service. Some of the leading editors wrote editorials in which high tribute was paid to him as a newspaper man, and a leader of public opinion. I think it but just to his memory to republish some of these editorials in the *Chronicles*, so that his history may be preserved in the annals of Oklahoma.

Hon. Milton W. Reynolds

“The young territory of Oklahoma lost a loyal and helpful friend when Milton W. Reynolds passed away. By one of those strange decrees of fate which so often disappoint and thwart human purposes, the same week which witnessed his election as a member of the territorial legislature witnessed his death. His taking off in the full flush of his well-earned honors exemplifies in an impressive manner, the uncertainty of life and the feeble tenure by which men hold the gifts of this world. Oklahoma and Kansas are joint mourners at the grave of Milton Reynolds. He was all to Kansas in the time of her need that he was to the young territory which owes its existence largely to his efforts. Courage and romance blended in the nature and made him pioneer. There was that in his soul which made him delight in the constructive processes which enter into the work of civilization and his splendid

talents appeared to find their most congenial exercise in that line of effort. He was called away while all of his faculties for usefulness were unimpaired and at a time when the future seemed to be opening up to him a larger field for achievement than he had yet known. But in all that went to make up a noble and symmetrical manhood, his life was complete and his character thoroughly rounded out. Length of days would have added less to his moral stature than the world and society, which he illuminated and made better."

The career of Milton W. Reynolds was associated with a period which will never cease to be regarded with historic interest, and among many other notable figures which appeared in the same arena; he will ever occupy an honorable and conspicuous place. The world will remember him as one of its sincerest benefactors, and will bestow upon him the praise which belongs to a good man, a true patriot, a loyal friend and a noble and genial spirit whose light should have gone out later." —*Kansas City Star*.

Hon. Milton W. Reynolds

"A feeling of deep sadness will be felt all over Kansas upon the intelligence of Milt Reynolds' death. Bright and versatile, he was unfortunate in all his ventures. Always true to Kansas, the last years of his life were faithfully devoted to the opening and the development of Oklahoma, which he regarded as a Kansas colony. He would have doubtless become an important factor in the history of the territory as his worth and ability became better known. As a newspaper man, Reynolds was a model paragrapher, and his sentences were often epigrammatic and forcible. He will be long remembered as a brave bright son of Kansas.

—*Leavenworth Record*.

Hon. Milton W. Reynolds

"The lamp of life warm true and strong went out when Milton Reynolds died. His was a sturdy and patriotic heart. He was a type of what is best in Kansas. He loved Kansas and he labored for her. His devotion was unselfish and in her prosperity his was a reward sufficient for his endeavor. Nature endowed him well and circumstance polished and equipped an understanding whose keen strength was apparent in whatever undertaking he embarked.

Reynolds was a high bred gentleman and scholarly collegian. With the pen he was incisive, epigrammatic, fruitful of original thought. As a speaker he was polished, ready and felicitous. Friendship was a thing dear to him, and for a friend he would stand fast any time against odds. As an editor in Lawrence and Parsons and a writer for the Times he worked with diligence and accomplished much for Kansas, acquiring a powerful influence in the state, earning well and holding fast the affections of its people. He was one of the original advocates of the opening of the Oklahoma Territory, a member of the convention held in this city which memorialized congress upon the subject and a delegate to Washington in that behalf rendered great and not forgotten services. When the territory was opened he became a first settler there and the same indefatigable capacities he had before given to Kansas were spurred afresh in the interests of the rising state. Had he lived he would doubtless have reaped something of those fruits he merited so well. This man had been given office, but he was in no sense a politician. Neither his nor his training knew those arts which win the herd. The regrets for this genial, cultivated gentleman will be as broad spread as the prairies he knew and loved. An honest man and a staunch heart answered, "I am here," when Milton Reynolds met his summons." —*Kansas City Times*.

"The lovable and genial nature of Milton Reynolds was conspicuously illustrated in his newspaper work. He was constitutionally opposed to the argument of abuse. He abhorred a personal "newspaper fight". He would submit to columns of abuse and say never a word in answer though his defense was perfect. He himself seemed constantly to strive to say of all the best he could. He was generous and enthusiastic in friendship and more than just to his enemies. His fine observance of the courtesies and amenities of journalism might well be imitated by the profession."

—*Oklahoma City Journal*.

In securing data for the compilation of material which the writer is using in this sketch of the life of Milton W. Reynolds, I paid a visit to the cemetery in Edmond hoping that I might find the grave wherein his mortal remains had been laid some forty-five years ago. I thought there would be some dates concerning the life and death of Reynolds, or else some epitaph worthy of this great man, carved in the stone that might be used in writing

up this historical sketch. However, I was disappointed, there was no stone erected, and I could not find the grave, nor did I find anyone in Edmond who knew where he was buried, although at one time he was the best known newspaper man and journalist who wrote frontier history. Having failed to find anyone now living in Edmond who had personally known Reynolds or was present at his funeral, I then referred to the first Directory of Oklahoma to find the names of those who resided in Edmond in 1889-1890.

In "*Smith's Complete Directory of Oklahoma Territory 1890*", under the caption EDMOND, I find the following entries:

"Reynolds, W. M. propr. Edmond Sun, r nw 30 14 2 w. Another entry reads: "Howard, E. B.—works in Sun office, r NE 14 3-1".

The writer, at once, recognized that this E. B. Howard who worked for the *Edmond Sun* some forty-five years ago, was none other than the Hon. E. B. Howard, of Tulsa, Oklahoma who has held prominent positions under the state government, and has served several terms in congress, and has long been recognized as one of the leading men of the State.

I requested Mr. Howard to contribute to this write-up, or sketch, his personal recollections of Milton W. Reynolds. The following contribution is very much appreciated as it is written by one who had the opportunity of knowing Reynolds, as no other, now living, has had.

RECOLLECTIONS OF MILT W. REYNOLDS

About two months after the first Oklahoma opening to settlement on April 22, 1889, it was announced by the enterprising and progressive citizens of the then village of Edmond that a deal had been made with a famous journalist and editor to begin the publication of a newspaper in the thriving little village.

A few years previous to that, in my home down in Kentucky, I had learned the art of setting type. I was living with my father and family on a "claim" three miles north of Edmond. This announcement gave me an opportunity to seek my first employment in Oklahoma and also to meet, become acquainted with and work

for the man who, aside from Payne and Couch, had done more to bring about the opening to settlement of this great virgin country than any other. Hearing that this editor had arrived in Edmond and was arranging the details of publishing his first issue I sought an interview with him, and obtained employment.

As a boy in Kentucky, owing to the fact that for several years my father had been waiting and watching for the opening of Oklahoma, I had learned something of the greatness of this man by reading a considerable number of his now historic writings which had helped to force the day when Oklahoma, "The land of the fair God" as he saw fit to call it, was opened to white settlement. Consequently, being a boy in my early teens, I approached timidly and almost in fear. However my timidity and fear soon disappeared as I found him to be a very broad-gauged gentleman with an overflowing amount of humanity in his heart and a desire, evidenced by my first interview with him, to encourage and be of benefit to all.

Thus it was that very shortly after the beginning of my interview with him, I found myself in the employ of "Kicking Bird" **, who in private life was Milton W. Reynolds, who will always stand out by reason of his record, and amongst those who knew him as one of Oklahoma's first and best citizens. I continued in his employ, working for him both in Edmond and Guthrie, until his death, and I learned to know him and admire him for what he was.

Mr. Reynolds bore a reputation to those who did not know him intimately as being austere, cold and hard to become acquainted with, but when you knew him you soon learned that his appearance as such was but on the outside and that he was, as a matter of fact, a kindly, tender hearted, charitable man, loving and interested in the betterment of all humanity. In those early days he especially impressed me by my observation of his actions as to the fact that he was a genuine home-loving family man and never was happier than when he was doing things to add to the comfort and pleasure of his immediate family. One of the finest illustrations as to this was impressed upon my mind indelibly when I observed his tender care of an invalid daughter in his family. He seemed to be at his happiest when he was doing something, large or small, that would add to her comfort and pleasure. I think that one of the happiest moments I ever observed him in

was about six weeks after he had established the newspaper—*The Edmond Sun*, which is still being published. He had finished building a home for his family in Edmond and had brought them there to be with him.

Mr. Reynolds was not only a benefactor in helping to secure the opening of Oklahoma to settlement, but he seemed to live every day the life of dreaming of and doing things to make Oklahoma a better place in which to live. He was a journalist of the old school; his writings were based on the highest plane, based on fundamentals, and he never stooped to take advantage of the fact that he was of the press in order to punish or persecute a political or social opponent. He belonged to that school of journalists of those days, composed of such men as Greeley and Watter-son, who knew the power of the press, used it for the benefit of the community and the people and gave little, if any, consideration to the cash-drawer or their own personal interests in discussing and molding opinion as to public problems, questions and policies. It seemed to be his special delight in his writings and lectures to take the side of a common man and to fight for his rights without regard to the demands of the special few who existed in those days and sought to dictate, as they do in these days. Some of the most beautiful articles which it ever fell my lot to put into type, or to read in print, came from his pen when opportunity presented itself for him to defend or make apologies for the acts of a fallen human being, be he man or woman.

Mr. Reynolds was, in addition to being a journalist of the highest calibre and standing, a Statesman in action and thought, and his life in Oklahoma in its earlier days and his efforts on behalf of the then Territory were an inspiration to many a man both old and young to do all things and every thing to lay a foundation in the right manner for the great State which he, in those days, prophesied Oklahoma some day would be. All of the people of the then Territory soon learned to know him or to know of him and his work, and almost universally at that time looked upon him as our greatest and leading citizen.

In politics Mr. Reynolds was a Republican and of the old type that then existed in that party and was dominant in it. He respected the rights of all citizens, and evidenced a desire to pro-

tect these rights at any and all times, and by reason of this had a very strong support regardless of class or politics.

This fact was demonstrated when in 1890 an election was called for the election of Oklahoma's first Territorial Legislature. By an act of Congress the Territory had been divided into Representative and Senatorial Districts, with one Representative to be elected at large. In those days nominations for public offices were made by conventions instead of the primary. Mr. Reynolds had not announced his candidacy for Representative-at-Large but was drafted by the Convention of his party and in the election, owing to the general knowledge that the settlers had of his great work in bringing about Congressional action that permitted white settlers to come into Oklahoma, there was little effort made to defeat him by the opposing party. However, although elected Representative-at-Large by a large majority, Mr. Reynolds never knew of his election, for the reason that just a day or two before the election he took seriously ill, was at the point of death on election day, and four days after passed away without knowledge of the results. His death was a shock to the young territory, as everyone realized that a man whose services were sorely needed in those pioneer days had been called by death from the land he loved, and that especially were we to feel the lack of his services in those formative days when the foundation for the great State of Oklahoma was to be laid.

At that early day few, if any, communities had arranged for cemeteries. Consequently he was laid to rest beneath a Blackjack tree in the school section adjoining the then town of Edmond by his pioneer neighbors. I was one of the pioneers who helped dig his grave on this school section, and as we deposited his remains in the grave most of the people of the territory felt that, by reason of his character, his love of mankind and the great work that he had done, to Oklahomans this grave in the future would be a shrine to which people would come to pay respects to the memory of a great benefactor.

The day of his funeral in Edmond was one never to be forgotten by those who were there and witnessed it. The Hon. Sidney Clark, also another Oklahoma benefactor and an orator of ability, came to Edmond to deliver the oration at his bier. It was a

characteristic pioneer audience that assembled to pay its last respects to Mr. Reynolds. The orator, the preacher and the professional man were there from all parts of the territory, dressed in their garb of that day; the working man was there in his work clothes, the farmer was there in what he wore as he tilled the then new and virgin soil of Oklahoma Territory; they were there because each class and every one of them realized that this man had been foremost and never failing in the battle that had finally been won to provide for them homes, and to many of them a new start in this new country.

Truly "Kicking Bird"—Milton W. Reynolds—was among one of the great men that Oklahoma ever knew or will know. The work that he did redounded to the benefit of all, and Oklahomans today owe much to his efforts and memory; he was a leader of the newspaper fraternity of that day, and no doubt the course he pursued as a journalist in the pioneer days has had much effect upon the success of the fraternity in Oklahoma during the subsequent period and at the present time.

His efforts, his courage and the results thereof, warrant me, and every other citizen cognizant of the history of those days, in suggesting that the citizenship of Oklahoma will not have done their duty towards this great man until they have erected an appropriate monument to his memory and in recognition of the great work that he did in life, and although owing to the moving later of the remains of those buried in the school section, we are not sure as to just where he found his last resting place, the newspaper men of this State, in my opinion, should co-operate with every citizen who has benefited by coming to the State in proceeding, as soon as possible, to reward this great pioneer Oklahoman with a fitting recognition that will recall to the people of this State at this time and to those of the future a very important period in the history of Oklahoma.

E. B. Howard.

The following words of cheer are taken from the last editorial written by that brilliant journalist, Hon. M. W. Reynolds, whose death occurred on the 9th day of August, just four days after his election as a member of the Council of the Territorial Legislature. From *Edmond Sun*:

"A few, a very few, people have become a little discouraged because this season's crops do not seem to justify and verify the

great anticipations last year. But it is so everywhere. Texas and Kansas are not doing what they did last year. The fact is, both last year and this year were phenomenal years. Last year, all things considered, was the most productive season for sod crops on both upland and valley we have known in our experience of thirty-three years in this western country. And this year is unusually, we may say phenomenally, dry here and all through the vast plain region west of the Missouri River. We have known dryer years, but it is dryer here this year than usual. We want to say to the brethren that Oklahoma is all right. Ten years from now Oklahoma will be one of the brightest states in the Union. Ten years from now there is not a settler upon a claim in Oklahoma who, if he is industrious and sober and has his health, will not be worth from \$10,000 to 15,000. Our lot is cast in a goodly land and there is no land fairer than the Land of the Fair God."

THE INDIAN REMOVAL MESSAGE OF PRESIDENT JACKSON

By John Bartlett Meserve.

No theme in Oklahoma history has awakened such interest as has the matter of the removal of the unwilling Five Civilized Tribes of Indians, a century ago. It provides the major historic background of this commonwealth. Just as truly as the history of our common country reaches back to Hastings and Runeymeade, so the thoughtful interest of the student of Oklahoma history and lore, finds himself concerned with the early history of Georgia, Alabama and Mississippi.

The situation among the tribes in the southeastern states had gone from bad to worse until a crisis was presented when Andrew Jackson became president. General Jackson, perhaps understood the Indian, his vision of things and his mode of life, better than did any man in public life at that time. The Indian question became the first object of concern of the famous Tennessean and in his first message to Congress in December 1829, the whole Indian controversy with the southeastern states, was laid before Congress with his advice for action. This message though firm was not acrimonious and the action taken by Congress immediately thereafter, inaugurated the policy of the removal of these tribes to an independent state of their own forming. The thoughts expressed by President Jackson indirectly concern our formative days.

Message

"The condition and ulterior destiny of the Indian tribes within the limits of some of our States have become objects of much interest and importance. It has long been the policy of Government to introduce among them the arts of civilization, in the hope of gradually reclaiming them from a wandering life. This policy has, however, been coupled with another, wholly incompatible with its success. Professing a desire to civilize and settle them, we have, at the same time, lost no opportunity to purchase their lands and thrust them farther into the wilderness. By this means they have not only been kept in a wandering state, but

¹Great Debates in American History, Vol. VIII, page 264, et seq.

begin to look upon us as unjust and indifferent to their fate. Thus, though lavish in its expenditure upon the subject, Government has constantly defeated its own policy, and the Indians, in general, receding further and further to the West, have retained their savage habits. A portion, however, of the Southern tribes, having mingled much with the whites and made some progress in the arts of civilized life, have lately attempted to erect an independent government within the limits of Georgia and Alabama. These States, claiming to be the only sovereigns within their territories extended their laws over the Indians, which induced the latter to call upon the United States for protection.

“Under these circumstances the question presented was whether the general Government had a right to sustain those people in their pretensions. The Constitution declares that ‘no new States shall be formed or erected within the jurisdiction of any other State’ without the consent of its legislature. If the general Government is not permitted to tolerate the erection of a confederate State within the territory of one of the members of this Union, against her consent, much less could it allow a foreign and independent government to establish itself there.

“Actuated by this view of the subject, I informed the Indians inhabiting parts of Georgia and Alabama that their attempt to establish an independent government would not be countenanced by the Executive of the United States and advised them to emigrate beyond the Mississippi or submit to the laws of these States.

“Our conduct toward these people is deeply interesting to our national character. Their present condition, contrasted with what they once were, makes a powerful appeal to our sympathies. Our ancestors found them the uncontrolled possessors of these vast regions. By permission and force they have been made to retire from river to river, and from mountain to mountain, until some of the tribes have become extinct and others have left but remnants to preserve, for a while, their once terrible names. Surrounded by the whites, with their arts of civilization, which, by destroying the resources of the savage, doomed him to weakness and decay, the fate of the Mohegan, the Narragansett, and the Delaware is fast overtaking the Choctaw, the Cherokee and the Creek. That fate surely awaits them if they remain within the limits of the States does not admit of doubt. Humanity and national honor

demand that every effort should be made to avert so great a calamity. It is too late to inquire whether it was just in the United States to include them and their territory within the bounds of the new States whose limits they could control. That step cannot be retraced. A State cannot be dismembered by Congress, or restricted in the exercise of her constitutional power. But the people of these States and of every State, actuated by feelings of justice and regard for our national honor, submit to you the interesting question whether something cannot be done, consistently with the rights of the States, to preserve this much injured race?

“As a means of effecting this end, I suggest, for your consideration, the propriety for setting apart an ample district west of the Mississippi, and without the limits of any State or Territory now formed, to be guaranteed to the Indian tribes as long as they shall occupy it, each tribe having a distinct control over the portion designated for its use. There they may be secure in the enjoyment of governments of their own choice, subject to no other control from the United States than such as may be necessary to preserve peace on the frontier and between the several tribes. There the benevolent may endeavor to teach them the arts of civilization; and, by promoting union and harmony among them, to raise up an interesting commonwealth, destined to perpetuate the race and to attest the humanity and justice of this Government.

“This emigration should be voluntary, for it would be as cruel as unjust to compel the aborigines to abandon the graves of their fathers and seek a home in a distant land. But they should be distinctly informed that, if they remain within the limits of the States, they must be subject to their laws. In return for their obedience, as individuals, they will, without doubt, be protected in the enjoyment of those possessions which they have improved by their industry. But it seems to me visionary to suppose, that in this state of things, claims can be allowed on tracts of country on which they have neither dwelt nor made improvements, merely because they have seen them from the mountains or passed them in the chase. Submitting to the laws of the States, and receiving, like other citizens, protection in their person and property, they will, ere long, become merged in the mass of our population.”

A message of like import had been conveyed to Congress by President Monroe and later by President John Quincy Adams so we cannot ascribe to Jackson the authorship of a separate, independent state for the Indians. In accordance with the presidential suggestions and after a most acrimonious debate, Congress passed the² Act of May 28, 1830, declaring a Federal policy favorable to the removal of the Indians and placed in the hands of President Jackson the power to initiate the necessary steps to secure exchanges of lands with any tribe "residing within the limits of the states or otherwise."³ The extended debates in the United States Senate on April 9, 1830, touching the controversial questions involved in the enactment of this law, are highly illuminative and disclose the claims of the southeastern states to be relieved of these independent tribal governments within their borders.

It had been the farcical practice of the Government from the beginning, to exercise authority over the Indians by treaties negotiated with the tribes. These treaties conferred no vested rights and were effective, not as treaties, but as Acts of Congress. They in no manner impaired the power of Congress to further legislate, even in violation of the terms of the treaties. These treaties were not contracts and the moral obligations to observe them were often violated. This policy was pursued until March 3, 1871, when Congress, by law provided, "that hereafter no Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe or power with whom the United States may contract by treaty." As far back as the⁴ treaty of Hopewell, of November 28, 1785, with the Cherokees, the leaders of this tribe recognized the rights of Congress to regulate their tribal affairs. Section IX of this treaty provided, "For the benefit and comfort of the Indians, and for the prevention of injuries or oppressions on the part of the citizens or Indians, the United States in Congress assembled shall have the sole and exclusive right of regulating the trade with the Indians, and *managing all their affairs in such manner as they think proper.*" Then came the famous agreement with the State of Georgia of 1802, whereby, in consideration of the relinquish-

² 4 Stat. L. 412.

³ Great Debates in American History, Vol. VIII, page 266 et seq.

⁴ Kappler, Vol. II, page 8.

ment of its claims to the territories of Alabama and Mississippi, the Government pledged itself to extinguish all title to Indian lands within that state. The State of Georgia insisted that the power to legislate over the Cherokees which had been reserved in the Hopewell treaty had automatically inured to the benefit of that State and the Georgia legislature had proceeded to act accordingly in a rather, unconscionable manner. The justice and propriety of this alleged transfer of power from the general Government to the State of Georgia were matters which did not apparently concern the authorities of the State of Georgia but which in those years of militant "States Rights", were accorded full recognition. It must be borne in mind that during those initial years, interference by the Federal Government and particularly by its Courts, was defied by the States. Against the aggressive acts of the States, the Government confessed its inability to cause a suspension of their laws even though their enforcement operated to defeat the solemn engagements which the Government had made with the tribes. The strong central Government as we know it today did not then exist and in appraising the executive actions of Andrew Jackson, this equation must be given full effect.

Our Indian policy has been a series of rank inconsistencies. The Nation that had so boldly declared "that all men were created equal and endowed with certain inalienable rights" and that had so promptly supplemented its organic law with an engagement that no man's "life or property should be taken without due process of law," evidently did not have the original American in thought. Much of the criticism of President Jackson and of his administration of Indian affairs might be softened by a more complete appraisal and understanding of the impact of his contemporary life.

THE JOURNAL OF ELIJAH HICKS

The hostility of the Comanche Indians and other tribes in Texas interposed great difficulties to the white settlers of that young republic. The United States Government undertook to help the Texans make peace with these Indians. In 1843 Pierce M. Butler, former Governor of South Carolina, was stationed at Fort Gibson, where he performed the duties of Cherokee Agent. Under directions of the government, and with an escort from Fort Washita, he attended the Treaty Conference with representatives of a number of western tribes at Tawakoni Creek, March 15, 1843. This was an interesting conference, but the Comanches whom the commissioners particularly wished to meet, were not in attendance. For this reason it was adjourned until autumn, to meet at Bird's Fort on the Trinity River. An extended effort was made by the commissioners of Texas to find the Comanches and bring representatives to this meeting. Their search extended into the Wichita Mountains in Western Oklahoma and the surrounding country, but it was unavailing.

In the course of the next year another effort was made, and the United States Government sent Captain Nathan Boone from Fort Gibson to assist and represent the Federal Government. He parted September 25, 1849; but the Indians did not remain at the camp ground until his arrival, and this effort likewise resulted in failure.

Another attempt was made in 1845, and commissions were issued to Pierce M. Butler and M. G. Lewis to enter into a treaty with the Comanche Indians and secure white captives in their possession. When they received their commissions, Butler and Lewis went to the home of the former at Columbia, South Carolina, whence they departed for New Orleans. They arrived there November first, and purchased a supply of goods to be bartered to the Indians in exchange for white captives, to obtain their good will and induce them to enter into the desired treaty. They then descended Red River to Shreveport, Louisiana, to purchase mules and equipment, and complete their outfit; from there they proceeded overland to their rendezvous

at Coffee's Station on the Red River, opposite the mouth of the Washita River. The Texans then sent runners out to the Indians, notifying them that the Council would be held at Comanche Peak. News of this undertaking traveled far, and bereaved parents hastened to meet the commissioners at Shreveport to tell of their children who were captives among the Indians.

Before joining Lewis and the outfit at Coffee's Station, Governor Butler went to Fort Gibson, where he endeavored to secure a military escort from the commandant, but in vain. He then interviewed the Indians living near, with a view to securing an escort and delegations from the emigrant tribes. On December 26, he set out from the comfortable home of William Sherry Coodey. He was accompanied by the Cherokee delegates, Elijah Hicks, Mr. Coodey, and J. L. Washburn, one of the editors of the *Arkansas Intelligencer*. As they proceeded they were joined from time to time by other white men; by Wild Cat, the Seminole delegate, and Major Alberson, Chickasaw; but the Choctaw Indians who had promised to come, failed them. In Texas, Teesay Guess, a son of Sequyah, joined the delegation. While on this expedition, he was badly injured by a falling tree. Tim Tiblow, a Delaware, purchased from the Choctaw merchant Robert L. Jones, at Boggy Depot, a supply of goods which he took to the Conference to trade with the Indians expected there. A number of white men attached themselves to the party for hunting, adventure, and trade.

Butler's party of nineteen proceeded over the Texas Road, and crossed Red River at the new village of Preston, where they joined Commissioner Lewis and his twenty-nine men. Lewis insisted on traveling with a wagon, thereby entailing much labor over a road through the timber, and causing vexatious delay. He was accompanied by Mrs. Lewis, the only woman in the party. "She is 'quite an Amazon,'" reported Mr. Washburn to his paper; "wears a belt and dagger—shoots a rifle expertly—rides well on horseback and takes notes—rather handsome, medium size, English by birth—married four years—no children. The Colonel is very sprightly and gentlemanly in his deportment." The party now numbered 48 persons, with 70 or 80 saddle and

pack horses and mules. Rations for sixty men were carried, besides \$1200.00 worth of merchandise for presents, and trading with Indians. The party included Holland Coffee with his hunters, who furnished meat for them. Wild Cat was a skillful hunter, and showed Governor Butler and his friends how to hunt bear.—(G. F.)

Memorandum of incidents of a mission to the Comanches by authority of the U. S. Gov. Butler & W. G. Lewis Comisrs.

Honble George Lowry appointed W. S. Coody and E. Hicks as delegates to represent the Cherokee Nation at the Comanche Council. (In pencil) Friday 12-19-1845. Left my residence at Santy [or Lauty] Verdigris on the 19th day of Decbr & arrived at W. L. Coody's on the 20th instant in order to join Gov. Butler.

Wednesday Decbr 24th. Gov. Butler & W. S. Coody in attendance at Camp near the residence of the latter near the bank of Ar. River,¹ where preparations were made for the journey. Assorting and weighing of baggage and packing of mules, with provisions for the mission to subsist twelve persons.

Thursday 12-25. Christmas eve. Attended by the party at Mr. Coodey's and were entertained with a Comanche dance by Gillis² late a Captive boy among the Comanches, redeemed by Gov. Butler, with a Comanche dance. Delaware & Kickapoo dances Songs & Hooping to the no little gratification of the party.

¹William Sherry Coodey lived on the west bank of the Arkansas River about three miles east of the present Muskogee. His was a comfortable home surrounded by every mark of affluence, and the surrounding cultivated land and herds were looked after by a number of slaves. This home was near the famous thoroughfare known as the Texas Road, and many people stopped here to enjoy the hospitality of Mr. Coodey. It was a favorite attraction for army officers at Ft. Gibson, who came to visit and to enjoy the society of the Cherokee ladies, friends and relatives of Mr. and Mrs. Coodey. The comfortable old double loghouse was burned many years ago.

²Gillis Doyle was the name of a Texas boy who was captured by the Comanche Indians about 1840. Gillis, with his father and a number of other men, were on the bank of the Colorado River securing rock for building purposes when they were attacked by the Indians, who killed three of the men and took the boy prisoner. Gillis was purchased from his captors by Bill Connor, a Delaware Indian, who brought him to Ft. Gibson in the spring of 1845 and gave him to Gov. Butler. Butler wrote that the boy was "extremely ignorant, and appears to have lost almost every vestige of civilization. He is uncommunicative and appears cowed. He speaks very imperfect English and very unwillingly. He is a robust and healthy boy, but much tanned. He spoke Comanche, said Butler, "and represents that among the Indians of that time

Thursday Decber 25th. Remained at Mr. Coodeys, very cold.—Gov'r. Butler Sent to Biyou³ for Camp articles. Party now consisting of Govr Butler Comr. Judge Rose of South Ca. traveller, W. L. Coodey & E Hicks delegates to the Comanches Mr. Washbourne of Van Buren Ed' of Ar. Intelligencer of the firm of Washbourne & Price and 8 or 10 hired persons packman Cooks &c consisting of Cherokees, Spaniards whites negroes & Irish.

December 26th. Gov. Butler & party, consisting of 18 persons, and 28 horses left Frozen Rock—, W. S. Coodeys, and camped in the Prairie 7 miles. Party consisting of Gov. Butler Comr.—Coodey & Hicks delegates to the Comanches. Mr. Washbourne Edr. of the Ar. Intelligencer. Mr. Rose of Charleston, S. C.—& 13 packman of Cherokees, whites & a Spaniard.

Sunday Decbr. 28th. Party halted at Chilly McIntoshes North Fork Creek Nation, one of the delegates appointed by the Creek Nation to Comanches—but refused to proceed at present. Hicks and Coodey proceeded in advance and arrived at Little River Tuesday 30th and Gov. Butler & party arrived same day and pitched camps on the bank of Little River at Edwards. now one hundred miles from Fort Gibson (100)

January 1st. 1846. This morning party proceeded, and were joined by Wild Cat Seminole Chief & his Secretary, Toonaka. Two miles ride brought party to the Canadian River and crossed the Same over into the Chickasaw Country. River the line between Creeks & Chickasaws and travelled 17 miles & camped.

January 2nd, 1846. Party resumed Journey at day light and after passing over a poor barren prairie arrived at Dry Foreheads a Cherokee Chief on Boggy (Big) a Settlement of

where were about twenty white boys, Americans, and four girls in the same clan as himself." Connor had paid the Comanche Chief for the boy in horses, rifles and goods of the total value of \$300.00. Governor Butler gave Connor \$100.00, and promised him the remaining \$200.00 as soon as he could secure authority from Washington. It was while in Washington a few months later that Butler reported the information obtained from Gillis which was largely responsible for issuing a commission to him and Lewis for the expedition of 1845.

³On Bayou Manard, at a point about seven miles east of Fort Gibson, the Cherokee Agency had been located for several years.

Cherokees from Texas. We travelled this day 20 miles (twenty miles).

Jany 3rd. Journey resumed this morning and arrived at Blue Creek and camped at Thomas'' a Chickasaw Settlement. This day 22 miles.

Jany 4th. Resumed our journey, passed Chickasaw Council House & camped at Chickasaw Agency Col. Upshaw Agent. This day 12 miles. (In half a mile of Fort Washitaw.)

January 5th. Remained here to purchase supplies and camped to complete outfit.

Thursday Jany 8th, 1846. Party resumed journey. Crossed Fort Washita a half mile from Camp, and proceeded to Red River Crossed the same at Coffees Station and some above, and pitched tents near Coffees residence, One mile from crossing. This day travelled 20 miles.

Jany 9th. Remained in camps to complete outfits for Journey.

Sunday Jany 11th. This day united with Col. Lewis Comsr. which made party fifty persons strong, and seventy five horses, and then took up the line of march for journey, and encamped at McVartneys. This day 16 miles.

Monday Jany 12th. Resumed journey, passed Cross timbers six or seven miles wide & camped on a branch of the Trinity. This day 20 miles.

Tuesday Jany 13th. Continued journey this Mornng, over a mountainous Prairie & camped on another branch of Trinity. Saw many deer, but wild. This day 15 miles.

Wednesday, Jany 14th. This day travelled over a broken Prairie and pitched camp in a green brier swamp of the Trinity new Texas. This day 6 miles.

Thursday Jany 15th. Journey resumed this morning over a fine prairie & in this upper cross timbers & camped at a ravine of Trinity branch. This day 15 miles.

Friday Jany 16th. Party moved onward this morning and travelled a zigzag route in a romantic prairie. Discovered Cher-

okee lodges hunting & purchased Bears meat. This day 12 miles.

Saturday Jany 17th. Continued journey this morning over a prairie & then timber and pitched tents on a Creek, Supposed middle Trinity. This day 12 miles. This is main branch Trinity.)

Sunday Jany 18th. Remained in camp this day & rested to graze horses. Kickapoo lodges headed by Tecumseh. Comrs. employed two Kickapoo messengers to notify Comanches to meet at Peak. Employed also one for a pilot.

Monday Jany 19th. This is a rainy day and at night snow & sleet.

Tuesday Jany 30th. Remained in camp. Gov. Butler set out to look out for best route.

Wednesday Jany, 21st. A part of the Caravan removed their camp across creek one mile. Col. Lewis indisposed removed in camp. Mr. Rose thursday shot his thumb. Creek supposed to be the main branch of Trinity.

Thursday Jany. 22nd. Remained in camp, and hunted, Several deer Killed. Col. Lewis came up this day & joined party.

Friday Jany 23rd. Express sent back to Washita by Washbourne Mr. Rose, and guide, & Packman— Party ordered to proceed, and after travelling over a poor prairie & scrubby wood took up camp. Two Partys of Kickapoos here hunting. This day 8 miles.

Saturday Jany, 24th. Party proceeded on journey and passing over a poor country generally scrubby timber, took up camp at source of the same branch left this morning. This day 6 miles. Two miles from camp near the Witchitaw trail stands the Comanche Peek No. 1. No frost.

Sunday Jany 25th. Resumed journey over a sterile prairie & low timber and underbrush. Met a Caravan of Kickapoo hunters men women & children, horses heavily loaded with peltries; numbering about three hundred. The Party purchased buckskins & mockisons & Bear meat & venison. This was a

motley party consisting of whites, Cherokees, Chickasaws, Seminoles, Spaniards, Kickapoos & Negroes. This day 12 miles. No frost.

Monday Jan'y 26th. Resumed our journey over a beautiful valley enclosed by picturesque mountains, Muskit trees & grass along Kickapoos hunting trail and encamped on the bank of the Red Fork of the Brazos, a large River at this point with exceeding rich table land, of thousands of acres & surrounded by handsome mountain scenery. This day 20 miles. no frost Caddoe corn patches here.

Tuesday Jan'y 27th. Continued journey proceeded down the river which ran a south course, along Kickapoo hunting trail, crossed the river two miles from camp & took a South course over a low marshy muskit ground and pitched camps at a ravine from South west. This day 10 miles.

Wednesday Jan'y 28th Party proceeded on their journey South & down the river, over a low flat muskit lands, Had two horses stolen last night by unknown Indians. There was rain and travelled 8 miles & pitched camps.

Thursday, Jan'y 29th. Commissioners advised the Separation of the Caravan into four parties to search for the Indians, Comanches &c. Coodey, Hicks, Wild cat & Charles a negro, a cook to travel the North west creek to the source & to invite Indians to meet at Comanche Peak. Chickasaws to proceed in advance on the middle route. George Boenton & Fomanka John to cross red fork and down the same. Commissioners and party in the middle route all to meet at the clear fork of Brazos.

Coodey & Hicks & party proceeded north of west and found a large Creek or river coming from the West, and assended the same to the mountains. Passed fine grazing in the bottoms, very wide. The remainder of the grounds passed are poor broken with scrubby post oak. These bottoms looks equal to summer. This day travelled 10 miles. No game today.

Cooacoochee killed a rabbit of a large species ears six inches long, and taller than the grey fox.

Friday Jan'y 30th. We proceeded this morning to the mountain & followed the valley South West. A beautiful vally and

mountain, covered with cedar. The valley low, muskit grass & wood. Followed a ravine to the mountains & crossed over and found a ravine running South West on which we camped. Not a spot of ground fit for human habitation. This day 18 miles.

Coodey & self were much entertained by Cooacoochee (Wild Cat) of remarks on the fine promise of Govt. officers in Florida to the Seminoles. The (sic) had assured them, that in the West, they would find amongst a numerous herds of Buffalows. He, Cooacoochee travelled from Florida to this point fifteen hundred miles and had seen the first buffalow, and scarcely any other kind of game. He also related the history of the Seminole War, battles &c. He affirmed that it was Sam Jones who killed Genl. Thompson. He said in all the battles he fought, the officers of the soldiers (as he termed it) were brave commanders. At every fire the Seminoles gave the troops, they would retreat, and the officers would use the sword liberally on them and force them into lines. (

It appears that Cooacoochee was during the war minister of war of the Seminole Nation. Freezing this morning.

Saturday Jany 31st. Journey over a poor broken country, with scattering post oak, Crossed over a chain of Ridges, supposed to be the dividing ridge of the red Brazos, and Clear Fork. Country poor and unfit for human habitation.

This day 18 miles.

Cold night & frost. Water froze by fire.

Sunday Feby. 1st. Proceeded on journey South West zig-zag thro all kinds poor broken Country & after wander thro thickets & undergrowth almost impenetrable pitched our camp on a Biyou running east. At this point a beautiful chain of mountains insight towards the South West. This day 10 miles. Freezing this morning by the fire.

Monday Feby 2nd. Resumed journey this morning South West thro poor broken prairie and scrubby woods & hills, and penetrated underbrush with difficulty; reached the beautiful mountain. It is at this point a chain of mounds & ordinary peaks with a little underbrush on them. We ascended the high-

est but the Clear fork of the Brazos westward not visible. Proceeded a south east course, and camped on a ravine of pure water of that direction. At this City of mounds commences prairie South east & west as far as the eye could reach. A poor country. This day 15 miles.

Last night Cooachee again resumed the history of the Seminole War. He made Some hair breath escapes in the warrior battles. Made witty remarks of the whites. Captured a convoy of waggons, and took a drinking frolick with his warries with Spirits found in the waggons in a hammock.

Captured a soldier near Augustine Soldier took hold of his arms and said—friend. Replied, I am hold of you, & friend also and then slayed him.

Tuesday Feby 3rd. Continued our route down the limped ravine now east, thro a poor uneven prairie with muskit and live oak on the Same, now a rapid running creek and Camped after going 14 miles. South is a chain of mountains & high hills.

Wednesday, Feby 4th. Left the silvan stream this morning, and continued the general course of the same, passing through prairies and crossed a plain trail running north & south crossing the creek and down the same, and then came on Butler & Lewis trail, entered the same to their camping ground, and then encamped on the same Creek. Saw numerous herds of deer today. This day 24 miles.

Thursday Feby 5th. Following the trail of Butler & Lewis over a very BroKen prairie hills, and some level bottom prairie, and encamped at a ravine occupied by the above party. This day 15 miles. Cold rain today.

Friday Feby 6th. Journey continued on Butlers track, and came to a large creek, now swimming, and camped. This day 5 miles. Bread exhausted.

Saturday Feby 7th. Succeeded in swimming creek, and entered the trail of Butler over a beautiful prairie, and chain of high hills to north east and reached the same creek, where Butler & Company camped & there pitched our tent. Increase of our party.

At Camp two Kickapoos arrived, Mothaskuck & a young man who we invited to stay, & accepted. They informed us that they were in search of Butlers and Chickasaws, and by agreement we would travel together. Venison, mountain goat, & turkey for supper, no bread. 10 miles.

Sunday Feby. 8th. Proceeded this morning on trail thro a beautiful prairie, mountains to the east, and camped on same creek, now called Cow River. This day 20 miles.

Increase of party again. Two more Kickapoos came to camp and joined us. They were in search of Chickasaws, who had appointed to meet them on this creek, but was disappointed. This party was sent by Precon, a chief. One son. Together at camp two Cherokees, four Kickapoos, one Seminole & one Negro. Turkey and venison for supper & no bread. Roasted on sticks.

Coodey & Wild Cat proceeded in advance of us to overtake Butler & Lewis and to report that Comanche Peak is at the head of Brazos instead of being opposite the mouth of Clear fork. Heavy white frost.

Monday Feby 9th. Our company set out on the trail, myself, Charles & four Kickapoos. Proceeded five miles, & came up with Coodey & Wild Cat, who had Killed a Buffalow Bull but too poor for use. At this point met with George Brenton & Bill Spaniard who had been sent out to search for us. They informed us that it was thirteen miles to Butler & Lewis encampment. Party then all proceeded to Camp & found all well. The party it appears lived in profusion, here on the choicest delicacies of the Wilds. Honey, Bear, Venison, Turkey, Buffalow flesh, fish &c. This day 20 miles.

The Party of Kickapoos were furnished with Supplies, Sugar & Coffee tobacco &c. The English, Cherokee, Creek, Chickasaw, Kickapoo, Some Spanish & Some Comanche, language were Spoken at this Camp.

Tuesday, Feby. 10th. This morning, all parties having come in, the Commissioners determined on crossing the Brazos at the junction of Cow Creek, and employed four Kickapoo pi-

lots and took up the line of march over a mountain and then a smooth level prairie. Saw numerous herds of buffalows, antelopes, deer grazing in this extension plain, which afforded fine grazing, and camped on a clear running stream. This day 15 miles.

A young man, Williamson, lost in the prairie. Comrs. Sent out parties to search, but returned without finding—

Wednesday Feby. 11th. This morning Kickapoos continued pilots, and party took the line of march for the Brasos, over a fine prairie. Numerous herds of all kinds game in sight. Arrived at a large creek, clear riffle. A new log house is here, and rail lot, the first seen since Red River.

Arrival of three Cadoo Indians. They wished to trade horses, Comrs. invited to repair to camp on the Brasos and there trade. Lost man not found, and several parties Sent again in search. Arrived at the Brasos, at a Cadoo encampment, proceeded to the fording, and took up on the bank. This day 15 miles.

Thursday Feby 12th. Coodey & self and Some others, crossed river & Some baggage, along the bank, and pitched camp. Gov. Butler & Seventeen men returned in Search of lost man. This day 1 mile. All crossed over, except party on Search.

Friday Feby. 13th. Last night, heavy rain. arrival of Cherokees at Camp, Young Guess & Jesse Oweings. Col. Lewis employed Young Guess & Doublehead to bear express to Coffee & Warren, Contractors to supply the meeting. This day remained in Camp.

Saturday and Sunday, the party remained in Camp, and some of the men made a canoe to cross the party who are on the West Side hunting lost boy. Numerous Indians on this River. Caddoos most numerous. On Monday the lost boy was discovered in the Prairie near Cow Creek, by a Cherokee & brought to Camp. (Cherokee name, Fooclistah).

Tuesday Feby 17th. This morning arrived Thorn & Reese, sent to search for lost boy. Arrival of travellers.

Mr. Cushingberry & Mr. Duval of Fort Smith. From St. Antonio, with Lipan (?) dresses—Short cape, part painted & Fringed.) Also Bill Spaniard & Johnson who had been sent out to search for lost boy. 3 o'clock—arrival of George Brenton and Fomaca John, hunters lost boy.

Wednesday Feby. 18th. This morning cold. Genl. Williamson & Captain Stickalubbee returned from hunting lost boy. This morning also Jesse Chisholm trader among the Comanches. Also Mr. Guess returned who had been sent express to Col. Coffee. Express failed to make the trip.

Thursday Feby. 19th. Remained in Camp. Last evening hail fell, & 10 o'clock this morning still on the ground. Horses fed the second time with corn Since our departure from Red River, but scanty. Arrival of Lipan Indians from St. Antonio, with their Agent. Also Mr. Shaw, Delaware interpreter. A Lipan Lady with a fancy dress. Two Chiefs. These Chiefs are Cannibals or man Eaters.

Friday Feby. 20th. This day in camps. Govr. Butler, and three others (packman) Searching for boy, returned, after being out eight days. Returned by way of Buck Snort. Coodey & Self returned from a Buffalow hunt this day, without Killing game.

Three men returned from Comanche Peak, where supplies of Beef had been delivered for the Treaty. It has been found at last; but destitute of the enchantment. Low! it is a brushy hill!

Interview with Hiesa, Caddoo chief.

I informed him thro Fooclista, a Cherokee linguist, that myself and Coodey had been appointed by the Cherokee Chief to accompany Gov. Butler & Lewis Comrs. to visit all Our Indian brethren in this Country. That we are instructed by our chief to pay them a friendly visit and to take them by the hand in behalf of the Cherokees. As to the particular objects of the Comrs. they would make that known when they are all met in Council.

Saturday Feby. 21st. Still in Camp. Party waiting for return express from Comanche Peak, Sent to contractors to invite Indians to meet at this point.

Curious matters doing in Camps. A reward of \$100.00 had been offered any person to bring in lost boy. The boy was found and brought in by a Cherokee named Chicken. The payment was assumed by the Commissrs. But a quibble was raised by the father and Gov. Butler that the boy found the Cherokee & had employed him only to bring him to Camp, and therefore was not entitled to the whole.

Sunday Feby. 22nd. This day Commrs. employed Jesse Chisholm & Miller to visit Comanches and to invite them to a Treaty. Party remained in camp.

Arrival of Toncaway Indians. A deputation of fifteen chiefs, Warriors & Women, armed with lances, bow & quiver, red painted, flaps dragging the ground, from St. Antonio, pitched camp.

A Council was held this evening at Comrs. tent. Lipan, Toncaway, Creeks & Cherokees present. Genl Wild Cat (Cooacoochee) addressed the meeting at considerable length. Informed them that two of the Seminoles (Creeks) Cherokees & Chickasas, had been sent by their nation to attend a treaty to be held by Gov. Butler & Col. Lewis who were present, with all the Indians in this part. He was rejoiced in his heart to see his red brothers of the West and shake them with the hand of friendship.—He and the others, had come a long way, to see them as he had never seen before, he was glad to enterchange a friendly talk with them. The Govt of the U. S. had sent his chiefs to have a good talk with them, to settle all questions of value to all parties, to prevent, crimes, horse stealing & war.—He was in was in far of these good things; he now hoped that they would all unite and make a good treaty for all parties.

He then spoke of the great good that grow out out of a treaty of amity & friendship. He said the Cherokees, Creeks, Choctaws, Chickasaws, had reed. great benefit from such agreements. They had improved much—lived in Comfort—raised corn, Cattle & Hogs for their subsistence. They were all at peace in that quarter. Every person could travel there in peace—the road was clear of brush, and white by which all their red brethren pass to the council fire of the different tribes. A great

Council fire was kindled among the Cherokees four years ago when the path to that peace, and the Council fires of the others was made white, for all the Indians.

The Tonkawa War Chief replied thro a Spanish linguist, & also Shaw, Delaware & Comanche linguist.—and said that him and his party was glad to see them and recd. the Seminole talk. It was a good talk, and he felt the talk in his heart because it was a good talk. He said on the question of adopting some measure to prevent horse stealing that his tribe was not guilty of these acts. It was some others that done these wrongs. The Lipan chief Submitted his views in Substance with the last.

Genl. Wild Cat then informed them, that when he left his Nation, to see his brothers, he was to return back in two months. Publick business of his nation would now require his return home, and would accordingly leave in the morning. The Council then closed by lighting and smoking the pipe of peace, by the parties present, and at a late hour adjd.

Monday Feby. 23rd. Commsrs. paid off Seven or eight packman Whites & Cherokees & left camp. Chicken, Cherokee who had brought in lost boy, recd. a draught on Bernard & Co. for goods amt. \$100.00

Tuesday Feby. 24th. In camps. Drizzling rain today. Rode to Barnards Store, and assisted, Chicken a Cherokee to sell draught, given him by Comr. for bringing lost boy.

Wednesday Feby. 25th. This morning cold, cloudy & windey, annoyed much by inhaling the Smoke of our fire. Govr. Butler sick.

Thursday Feby. 26th. This morning in Camp, Cold cloudy & windy & some ice by the fire.

Fail of Express again—Comrs had sent two Caddoos on Express to the Peak, giving Contractors of their arrival & to invite Comanches to this point to Council—but returned without making the trip.—Two failures,—

Friday Feby 27th. Weather more tolerable last night & slept well. Coodey sick. Good breakfast this morning, fried turkey breast, bacon, Sop, biscuit & Coffee. Comrs. sent pack-

man to Bucksnort down Brasos, a Small town, 25 miles for meal. No news.

Arrival of Col. Coffee Contrr. from Peak, with news that messengers sent out to invite Comanches to a treaty have returned to Peak without finding any. However, Buffalow Hump Comanche Chief with Some two hundred of the tribe was in attendance at the Peak.

Saturday Feby 28th. This morning in camps windy but clearing away.—A Tonkawa girl, called Celeste, at Breakfast with us, with Some assistance made her meal modestly.

Coodey, Col. Lewis & Self 4 others rode to store, & returned. A party of Tonkawa, & Caddoos, four on each side engaged at Bullet hiding, at four spike arrows a game, accompanied with spirited songs. The former is the lowest of human beings in North America—This is the last day of month & gone.

Sunday March 1st. This morning Govr. Butler & Coffee Coodey & Self and few packman Set out for peak. Lewis to remain until tuesday and then proceed on up. Lewis for Galveston. A cold ride thro muskit prairies, the equinoxial winds slapping our faces, and after riding 18 miles Camped on Aquilla Creek.

Monday March 2nd. This morning at 8 oclo party took their line of march, and left the Aquilla silvan ripples moving hasty down its onward course, thro generally handsome muskit Prairies, thro upper Cross timbers, and to the large Caddoo vil-lage on on the Brasos. Lodges appearing as hay stacks built of poles and grass. Few Caddoos were in their lodges. crossed the Brasos and pitched on a beautiful Creek clear as crystal & water as righteousness. This day 32 miles.

Tuesday March 3rd. Continued our march, over a rolling but romantic prairie & mounds, up the Brasos, and came insight of the long searched Peak & camped on a clear running Creek. Here killed two turkeys at a Kickapoo lodge lately abandoned. This day 25 miles.

Wednesday Mar. 4th. This morning a cloudless sky. Continued our route and reached Comanche Peak ascended the

same. It is a large nearly a square mound, one fourth of a mile in length, nearl square. Fired a salute to the tribes camped around. Descend and continued on trail and arrived at the Contractors Camp five miles from hence and there found a small partey of Comanches in attendance. Buffalow Hump the Principal chief is here. There are also Ketchees. A delegation of Creeks were also here headed by Chilly McIntosh & Tucha-batchee Mico. We are here at the end of the journey undertaken, on the 26th Decbr. & pitched our tent among all nations in the Desert. This day 14 miles.

Since our arrival two Kitchy chiefs paid us a formal visit. It was by embracing us face to face, with our arms over the shoulder and under the arm pit round, and repeated over the other shoulder & ending by placing the hand on the forehead & pressing the same to the breast. This was certainly the most affectionate ceremony in token of friend Ship offered to the party.

This evening an address was delivered by Buffalow hump to his lodges. We were informed by by the linguist Shaw that it was informing his people that his father meaning the Comr. had arrived, he had been waiting a number of days for him and he was now glad that he had come. Tomorrow we will have some talk with his father, and he expected to hear a good talk that would make all glad.

While at our tea numerous women and children Squatty around us (Kitchies) and some men to beg a little coffee and biscuit.

Thursday March 5th. This day Govr had his first Conference with the Comanches Buffalow Princpl. Chief. A party of Chiefs, Wares, women & Children (150) in number appeared and seated themselves in a half moon. Yound men fantastically dressed painted with full heads of hair, well dressed in Comanche dress and trinketted and appeared well, tho somewhat effeminate.

After the usual enquiries of health, Butler informed him that him & Col. Lewis was sent to see them and assure them of their friendship. to transact business with them in order to do

away all bad things, and to prevent them & that it was their intention to see all the Comanchees, and to do this business with them all. He now wished him to cooperate with him to bring his people to this place, to send some of his warriors, and he would also send Some with them & furnish supplies.

To all this Buffalow respectfully nodded assent. Butler ended by saying that when his goods came up he would distribute some presents. The pipe of peace was lighted & smoked by the Chiefs. But no meeting was agreed on. But referred to the Cherokees, Creeks and them to fix time.

Buffalow Hump is an excellent looking man of 50 years, over the middle size & has a graceful address. His Comanche name. Pochonuquiet Mahcochocope chf.

Arrival of Witchitaws Friday Mar. 6th. A party of Witchitaws, Chiefs, Warriors, women & children all mounted & painted, Cahseroocah Principl. chief at their head, arrived this evening, from the east of Red River. Provision of Beef were furnished. Horses stolen from the Comsr. on the route were brot in by party.—

At tea our party was honored by Buffalow Hump, Micahchocossee & four Warriors. Gov. Butler, Hicks & Coody, they partook with modesty and took Coffee well.

Buffalow Hump & chiefs held another conference with Gov. Butler. They requested to to be informed as to the object of his visit to them. Gov. Butler told them in Genl terms that it was to Establish peace & friendship, and for the restoration of prisoners, &c.

To this they objected to the this place as the point of meeting, and remarked if they met the Comrs. it would be at the trading House, But they did not know that the Comanchees could be brought together. However they finally agreed to cooperate with the Comisrs & to send out for the Comanches to come in.

The Kitchies chief, warriors women & children came in file this and paid their personal respects to Gov. Butler, by embracing him by the chief as described before, women & children by the shaking of the hand.

Past time of boys. A company of twelve boys of Comanches & Kitchees of 12 or 14 years old met on a prairie hill, engaged in kicking his adversary side ways barefooted and legging and throwing his adversary, by combining sometimes on one each party assisting until the first in contact was brot to the ground, by that time in a pile.

Saturday Mar 7th. A Council was this day held, by request of Gov. Butler, with the Comanche chiefs, and all others in attendance. This meeting was intended to fix & agree on a time, for meeting of the Comrs. Pipe of peace was first smoked. Present Buffalow Hum Mocochoessie Chiefs and other Comanche Warriors. Coodey & Hicks Cherokees. Tocobatchee Mico & Genl. McIntosh Creeks, Caseroocah Witchetaws chief, & Kitchy chiefs.

E Hicks made the following address: To Buffalow Hump & Mocochoessie Chief, Comanches. I have but a few words to say now. Gov. Butler who is he here & Col. Lewis who will be here in twenty days have been appointed by the Prest. U. S. their Great Father to have a friendly meeting and to have a talk with you. Govr. Butler went to the Cherokees and asked the Cherokee Chief to appoint too of his men to come with him to see their Brothers the Comanches. The Cherokee Chief appointed us and we have come & taken you by the hand. Our hearts are rejoiced to get acquainted with our Brothers the Comanches. We are natives and so are you, and we consider you our brothers. The hands of the Cherokees & the Comanches are white, we have never done each other any wrong, and what we have to say cannot injure you

Gov. Butler has asked us to hold a council with you today, and to agree with you on the time and place where the Comanches, and the other tribes shall meet the Comrs. of their great father. To us we do not care where the meeting is held; if they choose to have it elsewhere than this place, we are willing to acquiesce in their appointment. We will attend at any place you shall coose as the place of meeting. We know you are able to do your own busi- and you will do what is right.

However we wish for all the Comanches to meet their white Brothers the Comrs. for that is the way to keep peace. to adjust

all matters right. We now ask you to give out the broken days, and to name the place of meeting & to bring their people there.

William S. Coodey next addressed the Comanchees. He said the President of the U. S. had sent commissioners to have a friendly meeting with the Comanchees and other tribes. Some of them had made treaties with the Texas govt, but Texas had now become a part of the U. S. and therefore & all Indian business was placed now in the hands of the President to be managed. We know these men, they are good men; whatever they promise they will perform. Their great father is the President of the U. S. they are rich & strong, when they say they will perform a thing they are able to do it. The 'Cherokees have had much intercourse with the whites, and if their advice is desired by them on any question they would give their brothers good advice. We have come a long way to see you and we would be glad that you and all your people would come to the treaty.

Genl. Chilly M Intosh next addressed the Council in behalf of the Creeks present.—

Brothers, Comanches. Govr. Butler who is now here, & Col. Lewis who will be here in twenty days, have been appointed by the President to hold a Treaty with the Comanchees. Govr. Butler applied to the Creek Chief to appoint two delegates to come with him to pay the Comanchees a friendly visit and be present at the treaty. We are now here and we are glad to take you by the hand as our Brothers. Said that it good to meet and hold friendly talks. He desired that they would to meet the Comrs. at a place & time convenient to themselves. The Cherokees, Creeks, & Chickasaw delegations would all be present, and see them meet the Comrs. do the business of their great Father the President. What these Comrs. will tell you will be the words of truth, & it is the Same as if the President was here himself and spoke the words with his own mouth.

The Comanche Chief followed with an appropriate & brief reply. Brothers. We have heard talks and they are good, and we assure you all that we are glad to hear what you have said & become acquainted. We have for a long time heard a good report of the Cherokees, but never had an opportunity of doing any business with.

We have heard your talks and we now say that the Comanchees here have decided to meet the Comrs. at the Trading house (75 miles below on brasos) and that we will be there in attendance and all our people the second new moon. We do not count by days. Kept our time by moons (1st May)

The Pipe of Peace & friendship was smoked and concluded the Council. The Witchitaws, & Kitchees who were present were asked by the cherokees & Creeks, if the place & time appointed for the treaty was agreeable to them. They replied they would give an answer tomorrow.

Gov. Butler then distributed presents to the Comanche chief and Captains, in Blankets, blue cloth and other articles. Jim Shaw, delaware, interpreter Nancy, Witchitaw girl Do. both speaking the english. Speeches in english, then rendered Comanche & Wichitaw. Kitchies speaking the latter language.

Comanche Peak Sunday Mar. 8th. This day moved our camp, and pitched across west, & breakfasted but without bread. Fine cloudless sky. Comanches in motion to the far west. A part remained today receive presents. The women & children Seventy in number formed a circle in the Prairie. Blankets Stripes were & cups were given them. Half of the women looked well.

Cochomiquiet and chiefs attended at Comrs. quarters. He related the capture of his outfit & child by the Spaniards at Rio Grand one year ago on visit to that place, to adjust all matters interesting to the parties. Wished Gov. Butler to interpose and recover them.

Gov. Butler promised to write to the Mexican minister at Mexico for her restoration. This was one mode. He could also apply to the Govt officers at St. Antonio to recover her, and promised to make the necessary steps.

E. Hicks & Genl. McIntosh remarked to the Comanche Chief, that this was the only proper course which could ensure success, and that they had unlimited Confidence in Gov. Butler to make the necessary efforts. That we could assure them that that Gov. Butler would Succeed, but we knew, that he would do all that

could be done to succeed. The cherokees could of themselves act, not have any relations with the mexicans, and their remote location prevented them.

Mr. Hicks suggested that her recovery could be effected thro Genl. Taylor Com. r at Corpus Christi. He was a great good man.

Buffalow replied he was now convinced that all our talks were good. He now understood better how all things were, he had now light, and we had given him more sense. Meeting adj. and Comanchees took the line of march to the west, and were still passing our tent one hour after dark.

Comanche Peak Monday Mar. 9th. This day but few Indians in camp. Witchetaws and Kitchies, and a party of Wacoes arrived.

Comanche Peak Tuesday Mar. 10th. This morning in camp, with a cloudless sky & pleasant. Coodey dangerously ill.

Comanche Peak Wednesday Mar. 11th. A grand Conference was this day held by Gov. Butler Cherokees, & Creek, delegates, with the Con-e-ated bands of the Witchetaws, Wacoa, Tonkawas & Kitchies chiefs and captains. Nancy, Witchitaw girl, linguist. A circle was formed in the prairie with buffalow rugs for seats, where the different parties seated themselves.

In the centre, there were seats of the same and assigned to Comr. and the Cherokee & Creek Delegates. The Pipe of peace was present by the Coms. to the audience, and smoked. Gov. Butler then made known the object of his visit. His appointment and Col. Lewis by their great Father the Prest. To Establish permanent peace, to prevent horse stealing and then surrender, and to patronise them in their improvt. &c &c.

E. Hicks next addressed the meeting, & said that he was truly glad to see his Brothers and smoke the pipe of peace. This was the way to keep and preserve friendship. Their Brother the Comr. had informed the intention of his visit. The President had sent him to give them this talk and it was a good talk. The words of the President was true and was always good. The Cherokees knew that it was so. The Cherokees had carried war

against the whites a great while ago and had much harm against the whites and they had also suffered. The President then told them to stop and they did so. He told them to learn to farm & to raise stock and they done so, and they had done well ever since, &c &c. Chilly McIntosh Creek delegate next addressed the meeting.

Ketchkerooka Tewahana chief spoke in answer of his approbation of all that was said by Comr. Cherokees & Creeks Said they were all good &c. Aquahquash Wacoe Chief next Spoke Same &c &c. Kitchy Chiefs next. Cah Se roocah Witchetaw addressed Comr. and said that he was glad & his Captains were also pleased to hear their Brother talk the talk sent them by their great Father the Prest. The Witchetaws were the friends of the U. S. They had once made a Treaty with him and that had observed it, and since he had a new talk his friendship was now stronger &c &c. He enquired to what date did the Comr. extend This demand for stolen horses. Reply. Two years back. After the promise of Small presents tomorrow the conference adjd. to meet at Barnards Trading House 25 Apl.

Cam. Peak Thursday Mar. 12th. This day in camp, cold & windy. Gov. Butler distributed goods to the Witchetaws, Kitchie Tewakanas, & Wacoos.

Camanchee Peak Friday Mar. 13th. This morning clear & pleasant. Eat breakfast alone on fried turkey breast, biscuit & hot coffee.

Wedding last night. The gentleman at my elbow was present at this marriage ceremony. A Lipan Belle, dressed in fringed buckskin jacket, and also fringed bootees ornament with slay bells, and her ladyship painted thickly painted dress and all, & a Kitchy Bow marched through the lodges with a drum beaten by friends walking locked covered with one rugg until a circuit was made. There being no objection from any quarter they were man & wife.

Camanchee Peak Saturday Mar. 14th. This morning Cold & frost. Visited by the Witchetaw Chief Cah se roocah. He marked down on the ground the location of the Cherokees, Creeks Choctaws and Witchetaws. He indicated by Significant Signs,

the great friend of his people to the nations Stated, wished to have a free communication always, to keep the road open and hold fast to each other. Singing all night by the Indians. Said by Madam Rumor of another public marriage of a Tonkawa girl by a public march of the pair thro lodges.

Twenty beeves furnished the Wacoos, Witchetaws, Tewakanses & Kitchees for their substnce homewards. Went Bear hunting with Gov. & Caddoos without succees.

Camanchee Peak Sunday Mar. 15th. In camp this morning Fine weather. Our camp were entertained last with dances, & singing nearly the whole night. Arrival of Pah you cah, a princpl., Camanchee Chief. Col. Williams Caddoo agent and Pah You cah with a mexican prisoner his waiter, and six Lippans arrived & Pitched their tents near to ours.

Camanchee Peak Monday Mar. 16th. This morning in camp. Weather fine & clear but cold last night. Wacoos, Tewakanas, & Kitchies nearly all gone.

Requested by Gov. Butler to see Cahsewoocah & Witchetaw Chief-apprize of his indisposition today. And informed them, that it was thirty five days to the Treaty to be held Barnards Trading house.

Replied if his Brother did not come he would. If Kiowas came by his town he would come with them. Pah you cah called this morning & intrduced himself, and I did the same, in Camanchee court style by hugging, one arm over the should and the other below the arm pit, and then to the other shoulder & pit.

Council was called by Gov. Butler. Present Gov. Butler Comr. Pah acah Camanchee Chief Hicks Coodey Cherokee delegates Tuckabatchee Micco, Creek Do Three Lippan Captains from Mexico Jim Shaw linguist.

Gov. Butler, Briefly remarked to the Camanchee Chief that himself & Col Lewis had been appointed by their Great Father the President of the U. S. to see all the Camanchees & other tribes in this quarter and assure of their friendship. He had come to propose a Treaty first first—to establish permanent peace,

to remove all causes of complaint to allow annual payments in return and to patronize them in their improvement.

William S. Coodey, Said that Gov. Butler had informed him of his appt. by the Prest. Gov. Butler was instructed by the President to associate with him the Cherokees, Creeks Choctaws & Chickasaws to be present at their Treaty and to see that everything was done fair & to assure them of their Constant friendship. (to be filled out)

E. Hicks addressed Pahucah. Brother. You are now informed that we have appointed to visit you and your people, and to assure of our sincere friendship. We only knew each other before by name, but now we have seen each and know and feel that we are friends. Our meeting does our hearts good, and gives it light as bright as the Sun now Shining On us. Your Great the President has appoint his to hold a Treaty with you, and he has told you in part what it is, and the parteculars, he will tell you at the great meeting at Barnards Trading House on the 25 Apl.

The reason that your Great Father has sent these Comrs. is that Texas who was heretofore independent, has now been annexed to the U. S. They are now all one people. All the Indian Business now belongs to the Prest. Texas cannot manage Indian Affairs.

The President has been inform that the Camanchees Wacoes & others have had trouble with the Texans. The Prest. now sends his Captains to Establish a permanent peace, remove all causes of trouble, the most important is to agree on a Boundary line to Separate you and the Whites. I request that you and your chief consider the necessity of the question. If left open the whites will settle up all these rivers, Colorado, Brasos, Red River which will eventually produce difficulties between you and the whites. In return the U. S. will make you annual payments of goods and implements of husbandry. (to be filled out.

Pah u cah answered these several speeches by stating that he came along way to See his white brothers the Cherokees & Creeks, and he assured them that he was pleased to hear all their talks and he must say were good. But it would be pre-

mature in him to determine on the several questions to which his attention had been called. But I shall consider their importance, and the great meeting I shall be prepared to make known my decision. But I shall also expect to hear all your propositions at the next meeting before I decide.

Three Lipan Chiefs Present from Mexico. Gov. Butler informed them the objects of his mission, and assured them of his good feeling for them. He would give them small presents and meat while here, and refer matters to the other meeting.

They replied that they were from Mexico Rio Grande, they had also been oppressed and could not live there & had entered the great Prairie. Their chief, when informed of this meeting had sent them to see you & inform you of our Situation and assure you of our friendship.

Ludicrous scene in this meeting; At the meeting of Pah u cah and Tuchabatchee Micco Creek delegate, the Court Salutation of the Camanchees was performed by the hugging one arm over the shoulder and under, and then repeated to the other shoulder & arm pit with a squeeze. But in performing the honorable act, the chiefs found themselves opposed by their size, both being corpulent, each party could not reach the shoulder of his friend, being apart by their big bellies, and after one or two efforts to the loud gratification of the audience, and the honorable chiefs Succeeded to reach each other at arms length, in the manner stated.

Camanchee Peak Tuesday Mar. 17th. In camp, eat breakfast of hot coffee, roasted lean Beef corn bread & biscuit. A feast and concert were given last night, by the Kitchees, at a lodge near our tent. Two kettle fulls of Beef, and after slight boiling, was emptied on Buffalow saddle skin. There was a choir of some four five men as singers, with a rattling gourd to make time, and two women, Singing the same tune in trebble. The music consisted alltogether of tunes—he was was a careah, he was a carah &c thro this to another, of but little variation but afford a party present, much satisfaction The singing was novel, tho affording but little music, the deficiency was made up of the gourd time peace, & the sweet voices of the women. This

fest was given to Pah u cah, Chief, present. After the meat had evaporated the hot steam poiled on the saddle skin, the chief singer apportioned the peaces to the performers & the ch— Spectators excluded, and if refreshments was ever used up it was by the aid of the power of the teeth.

Camanchee Peak Wednesday Mar. 18th. This morning Pah ueah Chief, Lippans, Kitchees, & Caddoes, Gov. Butler and party struck Camps, packed mules, and separated. Pah u cah for the Prairie to bring the Comanches to the Treaty. Our party of Chickasaw and Some Lappans & Tonkaway, crossed over to the East of Brasos, about to miles & pitched our lodges. Wm. S. Coodey now on his way home in consequence of ill health. Pah u cah, when mounted on his mule beckoned to me, and hugged me in Court rule, Said, the talk I had given him was good & in his heart. Farewell to the Emperor of the Desert.

Thursday morning Coodey started home. Hicks went hunting, and returned fatigued without Seeing any game. Cold & rainy. The next day the party struck camp and proceeded twenty miles east of Brasos over a Broken Prairie thro a narrow neck of Cross timbers, so often penetrated and pitched tents on a creek.

Saturday Mar. 21st. Our camp was reinforced late in the evening, by six or seven Lipans, five Tonkawas, latter the lowest condition of Indians, begging to a late hour. We were on the march early this morning Indian file, cold and windy, over an endless broken prairie, to Nolands river, and their camped. The Creek delegation who had left us at the Peak, for the trading here came up and camped. They had stopped on the way to hunt. This day 20 miles.

Sunday Mar 22nd. We were on the route early. Gov. Butler, McLaughlen & Self went by way of Caddoe village where at 11 oclo & remained to 2 oclo & went got up with the party at camp. The Caddoo Hills were covered with horses, they being now fine for grazing, presented a lively green as far as the eyes could reach. This day 12 miles.

Monday Mar 23rd. This morn, I returned back to the Caddo in search of lost cattle. Arrived at the camps of Chick-

asaw Delegation where I paid my respects to Tom Fuller, and broiled buffalow meat very hard and hammered with a stone by the chief to make soft. Being hungry a New York dinner would not have went down better.

Tuesday Mar. 24th. At night with the chiefs, and being a cold night could not sleep. Same operation for breakfast by beating dry buffalow meat and coarse Tom Fuller. No bread, coffee nor sugar.

Wednesday Mar. 25th. In the Prairie with Doublehead hunting stock. This was a cold night. Water froze by the fire. Our fare a small peace of broiled venison.

Thursday Mar 26th. This morning set out with Doublehead on search and hunting two or three hours. Doublehead returned and left me Solitary and alone in the endless Prairie. Entered the Sources of Towakana Creek, and camped on it, alone, & my mule.

Friday Mar 27th. Continued down alone to the Brasos and came up with Gov. Butlers Camp, and joined them. Found Col. Lewis was here from Austin.

At Camp near Cher. Hill, Brasos Sunday Apl. 19th. Nothing particular happened since our return from Peak to this place. Building camps, stockades & purchasing Supplies for the meeting.

This day Jack Harry, Dela. and others Sent to the Camanchees on the Colorado returned, with a white Boy Dutch purchased from Camanchees. They bring news, that the Camanchees had declined attending meeting Commrs. as promised, on acct of a war party having killed texas Citizens—and their promises to meet in Consequence failed— The party while among Camanchees, purchased a captive, dutch boy 4 or 5 years old brought to camp.

This day Comrs. dispatched Jack Harry Dela, and three Lipans to Colorado to the Camanchees to insist on their meeting Comrs. at this point, (agreed upon), but could not cross Brazos river it being very [high], they returned to camp. This day clear & hot. Numerous Cadoos with their Chief Osee Mana (chief) Cherokee, Lipans & others about camp.

Saturday Apl. 25th— This day Comrs. dispatched Jack Harry, two other Dels. & two Lipans to the Colorado with a message to the Camanchees, requesting them to meet the Comrs. at this place as early as practicable, & with assurance of their continued friendship. This day weather fine & 9 o'clo Sun eclipsed.

This evening Two Head (Cherokee) and a Dela arrived from the Camanchees near the source of Washita River sent on express by the messengers Sent out by Comrs. Wms. Chisholm & Reese to invite Camanchees to the treaty.

The express brought a letter from them stating that deputations from three bands would be in attendance about the 12th May. They were 14 days on the journey.

Texas, the constitutional & conventional limits of Mexico, near the riches of Patosi, and the birthright of Camanchee, what a land of Captives! Now the United States.

Camanchee girls & prisoners taken at a treaty of peace St. Antonio and elsewhere by the Texans have been brot to camp by the agents employed by Comrs. to be returned to their people. This is the Country of Captives the weeping Camanchee girls, held in duress by the Texans the silvan face of anglo Saxon Sons & daughters and the Sons of the Montezumas & Guatimozin cursed and driven, traded, as slaves by the roving & haughty Camanchee. O, what a country of freedom in name, a nations birthright to two miles of African Slaves.

If the heart can Sicken at this Trojan War of human rights, a prostitution of humanity, it is a malady without cure to the philanthropist.

Apl. 28th, 1846—This day Majr. Neighbors,⁴ Lipan Agent returned from Austin, with news of the killing of Lipans by the Texans on the Colorado, which caused the most heart rending

⁴Robert S. Neighbors served for a number of years as agent for the Indians of Texas, with the title of Supervising Agent for Texas Indians. In 1859 he was engaged in escorting 1000 Waco, Tawakoni, Tonkawa, Caddo, and 300 Comanche Indians to the Wichita Agency where, on September first, he delivered them to the agent, Samuel A. Blaine. Neighbors then started on his return to San Antonio, and at Fort Balknap he was killed by a white man who resented Neighbors' loyalty and defense of his Indians charged with atrocities on the whites, who refused to discriminate between the reserve Indians under the agency and the Comanche and other wild Indians of the prairies.

national mourning by the Lipan women encamped here, loud with their shrieks which lost their sound in the distant heaven.

My tent door and fire side has been constantly thronged with Lipan naked boys, with callico clouts dragging to the ground, old grannies, children, and misses dressed in buck Skin Capes and petticoats & bootees, all elegantly fringed and would be a rich dress any where. The men performed a portion of the labor, packing meat on their horses, and carrying water in leather skins and guts, the women at lodges, sewing leather.

Sunday May 3rd.—The messengers (Genl. McIntosh, Creeks) Sent out to meet and escort the Camanches to Camp, returned late this evening on the other side of the river and fired a signal which was returned at my tent.

Monday May 4th.—This morning raining in torrents. Col Lewis Self & a number of Caddoes, whites, & Del. rode down to river to meet Camanchees. Returned to tent on act. of rain. They came afterwards, headed by Buffalow Hump, two Captains, & five women & pitched their lodges near mine.

May 9th.—This day was a busy day with all hands The Camanchees headed by Mocochoke principal Chief, and At. Anna War Chief from the Colorado were reported to be on the Other bank of the Brasos. Col Lewis, Delegates, and many other Indians, rode down to the river to escort them to camp. Sometime was occupied in crossing the baggage in canoes & swimming horses, and then proceed to our encampment and pitched their lodges within fifty yards of ours, numbering about 200 souls men, women & children. G. W. Kendall^s of the Picayune is here a “looker-on in Venice.”

Great Dances—This evening there a general move among the tribes at dancing. A Cherokee dance was given at the Caddo lodges where there was a numerous party to witness the feat.

^sGeorge Wilkins Kendall of the *New Orleans Picayune* was a member of the ill-fated Santa Fe' Expedition of several hundred men, who left Austin, Texas, for Santa Fe' in the summer of 1841. Their purpose was partly military and partly commercial. These unfortunate men were taken captive by the Mexicans who subjected them to inhuman outrages, and conveyed them as prisoners to the City of Mexico. Wilkins described the experiences of this expedition in his two-volume work entitled "*Narrative of the Texas-Santa Fe' Expedition.*"

There was considerable animation in the running around the fire encircled with a ring of three deep, of fine looking men and women. Within a rod was a Caddo party at the same pleasure, of the same form but tardy comparatively.

Near our lodges was a Tonkawa dance, Sing loud to a drum beat with much vigour, and danced until sun rise this morning 10th—instant. This dance consisted of men & women, all singing three or four feet deep and from ten to twenty in length—Every moving creature appeared to be in animation, and may be looked as a jubilee of the tribes. The Camanchees commenced a concert, by a choir of Singers, but of short duration.—

Since writing the above, the dance was continued by the Lipans & Tonks. Consisting of a squadron of singers men with drum, rattling gourd, an beating on a couple of raw Bison skins keeping time with the Song. the dance was by the women in front & some girls with a slow step, one foot down and the other, so as to make a rocking motion of the females, enlivenly every few minutes by a shrill yell of the females, and proceeded to & thro the Camanchee encampment. This feet I am told is given in honor of the Camanches, congratulating them in their success of killing a Spaniard. This I term a military Ball or War dance.

Tuesday 12th May.—Arrival of Pah u cah and other Camanchee chiefs, Kitchies, Wacoos, Witchitaws, and Tewahecanoes, appearing about two hundred in all, & pitched their lodges around ours, which now appeared like the encampment of a large army.

Comrs. All the indians present to an interview in the shed prepared for the meeting All the delegations took their and Comrs. nearly in the middle. The pipe of peace was offered by the Comrs. and smoked by all the chiefs.

Comrs. then informed the meeting that they had been sent by the Prest. to see them and meet them in friendship. They were glad to see them and thanked them for so full attendance. Interpreter, Jim Shaw, for Camanchees. Lewis Sanchez in Caddo & Spanish. Comrs. then informed them that they would meet them tomorrow and deliver to them the talk of the P. U. S. at 9 oelo. Meeting adjd.

A supper was served for Chiefs by the Comrs. consisting of large pones of Bread and boiled beef, piled on a tent cloth spread on the ground weighing at least about two hundred pounds. Three Kettles of Coffee. The numerous party seated themselves on the ground, Camanchees, Wacoos, Cadoes, and all other Indian delegations. Some fantastically painted, some naked, up to the fine dressed Creek and Chickasaws, and bread stuff being scarce, the time was well attend, and soon exhausted the large pones of corn bread & chunks of beef.—

Wednesday May 13th. Comrs. met this day the bands of Camanchees, Witchetaws & Lepans and all others. Submitted them propositions for a Treaty of permanent peace & friendship & boundary. Speeches by E. Hicks. Interpreters, Jim Shaw & Conner in Camanchee Sanchez in Spanish & Caddo and Nancy in Witchitaw. Comrs. request the Indians for a definite answer. Adj. over until tomorrow.

Friday May 15th. Comrs. met the Camechy Indians this morning. Pahahucah spoke in behalf of the Comanches tribes. They were satisfied with the talk from the Prest U. S. Cherokees &c. They had no objections to a Treaty of peace and they were satisfied of the arrangements by Comrs. to visit the Prest and there close a treaty. The Great Spirit was a witness to his words, and they were true. He would never cease to maintain peace. Others may violate it but he would preserve it.—

Saturday May 16th—Comrs. met the Comanchees & other tribes this morning which occupied the whole day. A treaty of peace & friendship was Signed by them. But objected to a boundary line and deferred that question until their visit to Washington—

At this, the meeting for a Treaty adjd. Sine die. To co Batchee Micco delivered a long speech and presented the assembled indians with tobacco & wampum as the emblem of peace.

The Treaty was signed, and the Indians notified by Comrs. that they would deliver them some presents in goods at the trading House on tomorrow. Eight miles hence—

Sunday May 17th.—Comanches in every direction Striking their tents, women packing, horses—reed. their goods & drawing off into the boundless desert.

Monday May 18th—Comrs. determined to move this day to the trading house eight miles and close the business of the mission there, we were all confusion, striking our tents, cooks packing—Reelkan furniture, packman drawing mules to and driving off, away darted Ben with some Cherokees to the trading house.

Tuesday May 19th.—Call on Comrs. for a settlement for my Services as a delegate and had much misunderstanding and submitted to a Settlement entirely different from our understanding with Govnr. Butler, viz. at \$2.00 pr. day instead of \$3.—which had been promised. At Col. Lewis request Consent to remain this day.

Comrs. in great confusion at this moment—B. Hump one of the delegates applied to Visit the Prest. refused to proceed—St. Anna only complying. They are in Council on the matter.

The end is now Come to go home. Is my wife and children alive? I pray heaven to protect me home, away, away, away. Double Head and his brother my Companions home, 500 miles—

Santy June 5th, 1846—Arrived this evening after a long fatiguing journey by way of the Chickasaw & Creek nations through hot Prairies, swimming Rivers and creeks, but keeping excellent health.

(End of diary)

SONS OF THE AMERICAN REVOLUTION

The members of the State Society, Sons of the American Revolution were guests of Montfort Stokes Chapter, at Muskogee, on the occasion of their annual meeting, held on February 22nd. The three chapters in the State were well represented which evidences a most pleasing reaction to the patriotic endeavors of the organization. Luncheon was served by the ladies of the First Presbyterian Church, following which came the reports of officers and the annual address by Judge John B. Meserve of Tulsa.

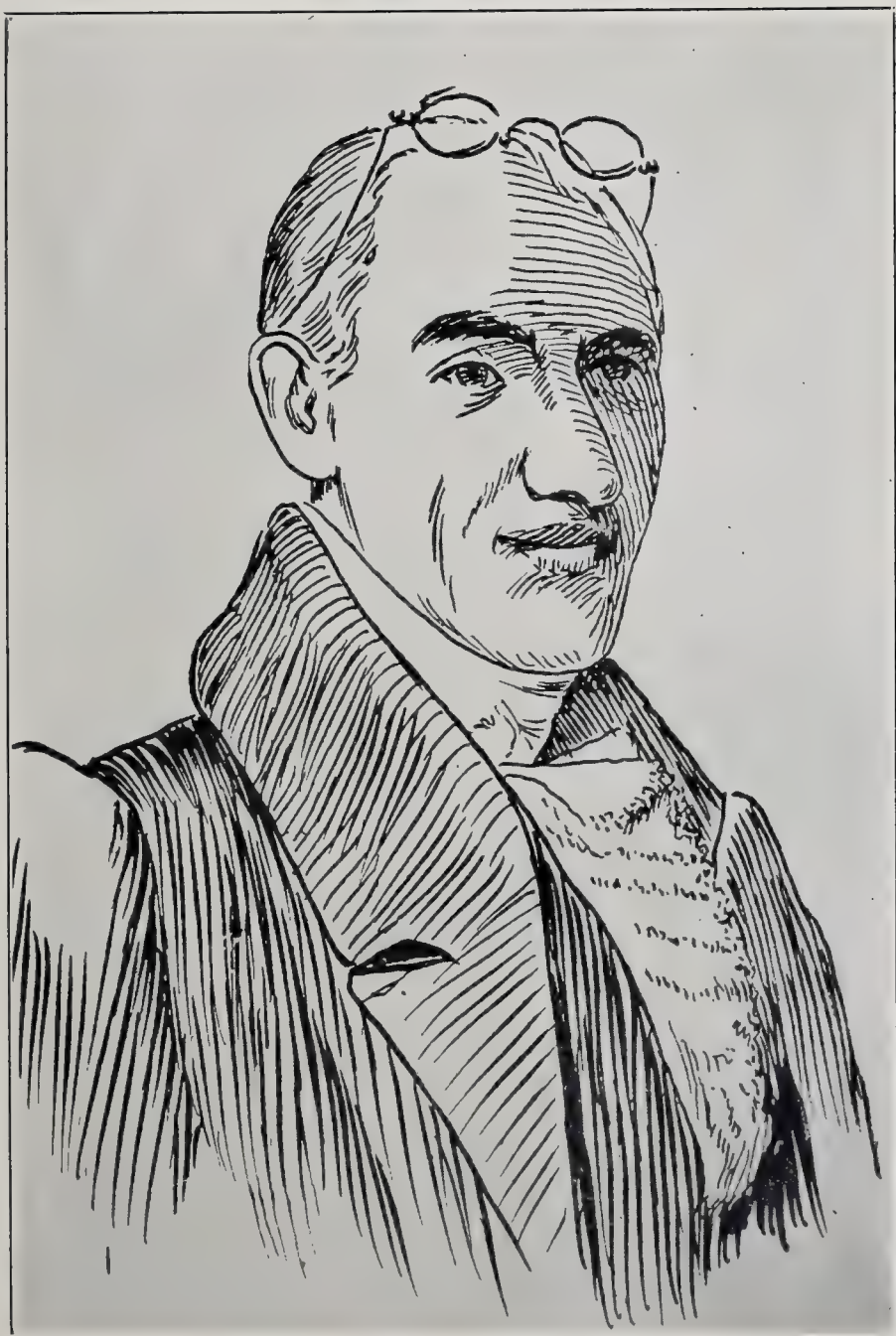
The following officers were elected for the ensuing year:—William O. Beall of Tulsa, President; Thomas G. Banks of Oklahoma City, John Fred Brett of Muskogee and Hal S. Downing of Oklahoma City, Vice-Presidents; Walter J. Bashaw of Tulsa, Registrar; A. N. Leecraft of Durant, Historian; Edward F. McKay of Oklahoma City, Chaplain; Philos S. Jones, of Muskogee, National Trustee and Paul P. Pinkerton of Sand Springs, Delegate to the National Convention to be held this year in Louisville, Kentucky, in May.

The retiring President, Hon. Philos S. Jones of Muskogee has left behind him a year of unremitting service to the welfare of the society.

Immediately after the session the assembled members made a pilgrimage to old Ft. Gibson and to the grave of Gov. Montfort Stokes at that place. Gov. Stokes is the only soldier of the Revolution to sleep within the confines of our beloved State and it was so fitting that the members of this patriotic society should pause at his bier on this occasion of their annual meeting.

The annual meeting next year will be held at Oklahoma City.

John Fred Brett, Secretary.



GOV. MONTFORT STOKES

Once Governor of North Carolina, Agent of Cherokees and the
only Revolutionary Soldier buried in Oklahoma.



HON. SIDNEY SUGGS

COLONEL SIDNEY SUGGS

By

J. H. Snyder, Ardmore, Oklahoma

When the hand of death reached forth and touched the brow of Colonel Sidney Suggs, one of the outstanding stalwarts of the Southwest, was called to his reward. He died peacefully at his home on February 9, 1935, without pain, without a struggle; alert and active to the last the frost of 83 winters, sat lightly upon his shoulders and he looked hopefully to the future with all the ardour of his younger years. Death came as he often expressed the wish that it would come, suddenly, silently, to end his labors here below. He died as he had lived with a smile upon his face, and could we but know, it probably would be revealed that in his heart reposed a benediction for all mankind.

Colonel Suggs loved the world and its people, and his heart, large though it was, there was in it no room for envy or hate to find lodgment, no place for greed or malice to abide. During an intimate acquaintanceship with Colonel Suggs extending over a period of more than a quarter of a century the writer never saw him perturbed or angry, never heard him utter an unkind word about a single human being. He did hear him say, however, on more than one occasion that life was too short and living too sweet to devote a single moment to criticism of anybody. "I love the world and everybody in it, I want to live and so conduct myself so everybody will love and think well of me," was a favorite expression of his.

Colonel Suggs was ambitious but his ambition was not based on selfish motives. He wished to see everybody happy and prosperous, he wanted to make the world around him a better place in which to live, and with an eye single to his purpose, gave freely of his time and means.

Sidney Suggs was born near Tupelo, Mississippi, January 15, 1853, son of Dr. Isaac T. and Jane (Fullwood) Suggs who emigrated to Mississippi from South Carolina.

When 14 years of age his parents moved to Mt. Pleasant, Texas, where he attended public schools and began to take part in commercial life. For many years he was connected with a large machinery establishment in Dallas, Texas, and when his connection with that firm was severed he came to Indian Territory and entered business with a younger brother at Berwyn where they operated a store and cotton gin.

After selling his business interests at Berwyn, Colonel Suggs came to Ardmore and purchased the *Daily Ardmoreite* on June 18, 1897, paying \$600 for the plant and good will. He saw a future for Ardmore and saw that he must equip to keep up with the parade. He purchased the first linotype machine to operate in Indian Territory. He published the *Ardmoreite* until 1917 when he sold his interests to devote his time to promoting good roads, a subject to which he was firmly wedded.

While publisher of the *Daily Ardmoreite* Colonel Suggs began to advocate good roads. He wanted farmers to have an opportunity of coming to market centers over passable highways, and where there was no organization to promote such a purpose, he organized business men of Ardmore and they constituted the first good roads committee in the territory. Every public movement for the betterment of the people received his whole-hearted support, and his paper became the good roads organ of the two territories. Colonel Sidney Suggs was appointed first state highway commissioner of Oklahoma by the late Governor Lee Cruce, and although the appointment was more vocal than material as he was not provided with anything to work with, he began to study highways more intensely and urged the building of good highways and improvement of the ways to rural sections to every county. His voice was heard in road conventions in every southern state, and he took the question of national aid to congress and the president, and planted the seed that afterwards bore fruit in federal aid for highways. Colonel Suggs, like many other great leaders was just a few years ahead of his time, but when overtaken it usually was discovered that he had been preaching truths for years that were being put into use. One achievement of which he was particularly proud was the mapping of the Indian trails which survey was afterwards adopted by those who surveyed U. S. Highway number 70 across the southern part of Oklahoma.

Colonel Suggs always enjoyed the association of newspaper editors and publishers. He had long been a member of the Oklahoma Press Association and never missed an annual meeting. Even after he had retired from the paper business he attended these meetings of the newspaper people, and no one was more welcome nor contributed more to the entertainment of members of the press association. Who has not enjoyed hearing him play his accordian and sing those old time folk lore songs?

As an evidence of the appreciation and esteem in which he was held by the newspaper fraternity, at the annual meeting held at Shawnee May 27, 1932, the association passed a resolution to have a bronze plaque made to the honor of Colonel Sidney Suggs and that the same be placed on the wall of the Oklahoma Historical Building. The inscription is as follows:

SIDNEY SUGGS
ARDMORE, OKLAHOMA
COMMEMORATING HIS WORK AS A
PIONEER OKLAHOMA NEWSPAPER MAN
AND GOOD ROADS BUILDER
AUTHOR OF LAW CREATING
STATE HIGHWAY DEPARTMENT
AND FIRST HIGHWAY COMMISSION
PRESENTED BY
OKLAHOMA PRESS ASSOCIATION
MAY 27, 1932

This plaque has upon it an embossed profile of Sidney Suggs.

Colonel Suggs had been married three times. He was first married in 1876 to Miss Dixie Barnhart of Texas by whom he had six children, only two of whom survive; they are: Velie C. Suggs of Little Rock, Arkansas, and Mrs. Kate Suggs Jeter, of Gonzales, Texas. Their mother died in 1891. The Colonel was again married in 1892 in Dunham, North Carolina to Miss Minnie Murray who only survived a few months. His third wife was the widow of Judge Olive of Texas, whom he married in 1895; she had three children, Miss Vera Olive and Mrs. Zoe Olive Evans, of Ardmore, and John Olive, of San Antonio, Texas; Mrs. Suggs died March 18, 1932. Colonel Suggs was a member of First Presbyterian church of Ardmore; fraternally he was affiliated with Masonic bodies, the Odd Fellows, Elks and Woodmen.

Colonel Sidney Suggs was one of the most colorful and one of the most lovable characters who ever lived in Oklahoma. His life was dedicated to service in behalf of others. So inherent was this trait and so fixed was it in his life that he seldom thought of his own affairs or his personal welfare. He was a man of prolific ideas and once an idea appealed to him he prosecuted it with all the vigor he possessed. His life was endowed with constructive ideals, he had only tolerance and pity with the iconoclast, or with any one who voiced the principle that "my way is the only right way." Colonel Suggs was a dreamer, but his dreams were always of rosy hue, and albeit, many of them never came to pass, his life and the world was the better for his having dreamed.

“NOTES”

At the meeting of the Board of Directors of the Oklahoma Historical Society held January 24, 1935, Judge Thomas H. Doyle was unanimously elected President of the Society to succeed Colonel Charles F. Colcord, deceased. No one else was thought of for this honor and no better selection could have been made. Judge Doyle has taken an active interest in the building up of the society for many years, and has served as vice-president since 1917. There are but few men, if any, now living, who have been so actively identified with Oklahoma history, or have served the public as long, in positions of honor and trust, as has Judge Doyle. To paraphrase: “Not to know Judge Doyle argues yourself unknown.” He was here in territorial days, served two or three terms in the territorial legislature. He spent much time in Washington promoting statehood, and no one contributed more to the passage of the “Enabling Act.” He presented the data, before committees of congress, that enabled Oklahoma and Indian Territory combined, to join the sisterhood of states.

After the adoption of the constitution, Judge Doyle was elected one of three members of the Criminal Court of Appeals, and served continuously on the bench for more than twenty-one years. Governor Holloway appointed Judge Thomas H. Doyle, chairman of the State Industrial Commission. He served on this commission for more than five years, and under his administration millions of dollars were paid to laboring people who had met with accidents while engaged in industrial service. While a member of this commission he wrote a bill, which became a law, providing for an industrial insurance to be administered under the supervision of the commission. This plan has lessened the cost of insurance more than fifty percent, and has met with the approval of both labor and industry. He resigned only in January of this year that he might qualify again as a member of the Criminal Court of Appeals to which office he had been elected in the November election.

Judge Doyle loves his state as every patriotic man should, and has contributed much to the preservation of its history. The Oklahoma Historical Society has not a better friend nor a more loyal supporter.

The Board of Directors selected Judge Samuel W. Hayes of Oklahoma City to fill the unexpired term of C. F. Colcord as a member of the board. Judge Hayes is generally conceded to be one of the foremost members of the bar in the state. He has made an eminent success, not only in his profession, but also in business. He has long been identified with all the events that have made up not only the governmental and political side of our history, but also with industrial affairs that have contributed so much to the growth and development of Oklahoma. Judge Hayes was a delegate to the Constitutional Convention and soon established the reputation as an independent thinker and became a real leader before the convention adjourned. He was one of a committee of three who was sent to Washington by the convention, to confer with President Theodore Roosevelt and find out the objections to the constitution that prevented the president from signing it. At the first state election, Judge Hayes was elected to the Supreme court and served seven years on the bench. Since his retirement from the judiciary he has practiced law in Oklahoma City. For years he was a member of the firm of Cottingham and Hayes, attorneys for the Santa Fe railroad. He is recognized as one of Oklahoma's most learned and successful lawyers. In litigation where great interests are involved, and complicated legal questions to be solved; where the services of an erudite lawyer is imperative, the advice of Judge Sam Hayes is first to be sought. Judge Hayes is familiar with the history of Oklahoma and will be a worthy successor to Colonel Colcord.

Governor E. W. Marland has placed in the Historical Society Building a magnificent painting of a spectacular Indian pageant. The picture depicts a scene somewhere in the northern mountainous part of the country, and was painted ninety-seven years ago.

We have no story or tradition as to what tribe of Indians was the conception of the painter, but from the evidence presented by the picture itself, it would seem that the artist was reproducing a Mandan or a Black Foot tribal ceremony.

The canvas is eight by ten feet, and is enclosed by a frame in keeping with the grandeur of the painting. This picture does

not have any name and all the information concerning it is in the following historical statement given to the society.

“The picture which was sent to the Oklahoma Historical Society by Governor Marland was painted by Alfred J. Miller, N. A., of Baltimore, Maryland. Sir William Drummond Stewart, of Murthly Castle, Scotland, made a trip in 1837 to the Far West. He took with him Alfred J. Miller, to whom he had given a commission to paint for him scenes of Indian Life in the West. This picture is one of those which Miller painted. It is one of a series of four pictures depicting Indian life and buffalo hunting. The other three are in Governor Marland’s home in Ponca City, Oklahoma.

“These pictures hung in Murthly Castle until about 1926, at which time they were sold and sent to New York. Governor Marland purchased them from the Anderson Galleries, New York.”

The great picture that now hangs in the west gallery, and the famous collection of 78 fans, recently presented to the Historical Society by Mrs. Laura Clubb of Kaw City, Oklahoma, has enriched the Oklahoma Historical Society collection, both artistically and historically. This famous collection of fans from all nations, were among the presents presented to General Grant and his party on his triumphal tour of the world in 1877. Some of these fans date back two and three hundred years, and have been the property of famous people, historic characters of many nations. If the Oklahoma Historical Society museum had only these two exhibits it would be worth while for you to pay it a visit. However, the Indian Museum is one of the most complete in the United States, and perhaps no collection excepting that of the National Museum and the Smithsonian Institute in Washington, excel in Indian lore.

BOOK REVIEW

The Rise and Fall of the Choctaw Republic by Angie Debo, Ph. D. 314 pp. Ill. University of Oklahoma Press, Norman, 1934.

The Rise and Fall of the Choctaw Republic is the sixth volume in the Civilization of the American Indian Series published by the University of Oklahoma Press. The format of the book is artistic and attractive. The text was prepared by Miss Debo in securing her degree as doctor of philosophy from the University of Oklahoma. The first three of the twelve chapters in the book present a review of the early history of the Choctaws, dealing principally with their record up to the main emigration of the nation from Mississippi in 1831-4. The rest of the book stresses their history for the period between 1865 and 1906—namely, between the end of the Civil War and the close of the Choctaw government as a separate republic.

In the last analysis, *The Rise and Fall of the Choctaw Republic*, which contains much that is interesting and informative, has errors in statement, half-truths and refutations that destroy its value as authentic history of the Choctaws. The title of the book is a misnomer in itself. The Choctaw republic rose but *it did not fall*. From its inception over a century ago, it was planned as a training ground for the Choctaw people, in preparation for the time when they of their own volition would become citizens of their protector Republic, the United States. When at the end of almost three quarters of a century, they cast a majority vote in favor of such a step by adopting the Atoka Agreement and later the Supplemental Agreement, they as a nation had attained a position where their leaders were counted among the leaders in the new State of Oklahoma organized soon afterward. Thus, the Choctaw Nation as a republic did not fall, it attained its objective.

The text of Miss Debo's volume is inadequate and superficial in many places, due to her unfamiliarity with Choctaw affairs and hurried research. Its prejudiced viewpoints and inaccurate statements will leave misleading, even wrong, impressions which will make it difficult for the reader unacquainted with the Choctaws to gain a fair estimate of them and their history. Footnote citations to documentary and printed sources throughout the book

may lead one to think it can be classed as authoritative. Yet comparing the sources cited in the footnotes with the interpretations, deductions and statements found in the text, one finds the latter are not always to be relied upon. In this connection, some illustrations are cited below.

In Chapter I, Miss Debo gives a brief account of the appearance and location of *Nanìh Waya*, the ancient mound held sacred by the old time Choctaws in Mississippi. In an explanatory footnote on page one, she gives her interpretation of the name in the following authoritative manner:

"The name, *Nanìh Waya*, clearly signifies 'leaning' or 'sloping hill,' but the meaning of this designation has been lost."

This interpretation is erroneous. In Choctaw, the word *nanìh* means "hill" or "mountain;" the word *waya* (native authorities aspirate the last syllable making the word *wayah*) is a form of the verb meaning "to produce" or "to bear fruit." Therefore, the name *Nanìh Waya* signifies "productive" or "fruitful hill (or mountain)."

Some early day students and scholars wrote the name *Nanìh Waiya*, which does signify "leaning" or "bending hill (or mountain)." The difference in the two interpretations of the name lies in whether one uses *waya* which means "to produce" or *waiya*, "to lean." Doctor John Swanton, whose work on early Choctaw customs and beliefs Miss Debo has cited among her sources in Chapter I, favors the form *Nanìh Waiya*.

However, even such an authority as Doctor Swanton leaves the signification of the name of the sacred mound of the Choctaws open to question and further investigation. It may be stated here, the spelling and the interpretation of the name is important since it has bearing upon the ancient Choctaw religion and may help to determine the prehistoric location of the tribe. According to tribal legend, the ancient Choctaws said their people were created on a mountain called *Nanìh Waya*, somewhere in the Far West. To interpret the name as "productive" or "fruitful mountain" seems more in keeping with the idea in the legend. However, laying these thoughts aside, if Miss Debo favored the signification "leaning hill," she should have spelled the name *Nanìh Waiya*, and not *Nanìh Waya*.

Chapter II of her book forwards the theory that considerations in the way of gifts—money, merchandise, etc.,—presented Choctaw chiefs by the United States during early treaty negotiations, involving the relinquishment of tribal lands to the United States, were in the nature of bribes and established corrupt practices and dishonesty as precedents for the acts of Choctaw officials in carrying on their government at a later date. Page 34 carries the following statements (*italics the reviewer's*):

“The inducements offered by the United States to persuade the Choctaws to grant these concessions established precedents which were to have a great influence on later Choctaw history; there was the idea of compensation to those who suffered individual loss, the beginning of a permanent tribal income and the pernicious practice of systematic corruption of the Chiefs. *The Treaty of 1801 granted two thousand dollars in money and merchandise, and three sets of blacksmith's tools to the Choctaws whose homes were in the ceded lands.*”

The statements in the last sentence are in error when one compares them with the treaty of 1801, itself. There was *no money* paid the Choctaws for the land cession in 1801. Goods and merchandise to the amount of two thousand dollars, by the terms of the treaty, were to be delivered to the “Mingos, chiefs and warriors of the said nation.” The terms “*Mingos, chiefs and warriors*” implied the whole male population of the Choctaw Nation at that time, women and children being counted dependents.¹ Also, the three sets of blacksmith's tools were granted “*the said nation*,” in this way providing one set for each of the three districts which constituted the political divisions of the Choctaw country

¹The word “Mingo” is a misspelling of the Choctaw term *miko* (pronounced nearly minko) meaning “chief.” Therefore the use of the word “chief” in the phrase “Mingos, chiefs, and warriors” reduplicates the literal meaning of the word “mingo.” Elsewhere in the treaty the phrase appears “Mingos, principal men, and warriors.” Thus the two terms “chiefs” and “principal men” were used synonymously in the treaty of 1801, due to unfamiliarity with the Choctaw language on the part of those who wrote the treaty. In reality, the terms referred to the *sub-chiefs* or *head-men* who were the local leaders of various Choctaw communities and clans. The term “miko” applied to the district chiefs, of whom there were three. The executive power of the Choctaw Nation was vested in three district chiefs until changes in the constitution just preceding the Civil War. By the constitution adopted in 1860, which remained in force until 1906, the supreme executive power was vested in one “principal chief.” At the same time the offices of the three district chiefs were continued in an advisory capacity.

in Mississippi. Furthermore, the sixteen Choctaws whose names appear among the signers of the document represented their nation; a study of the identity of each reveals that most of them, if not all, lived in the settled, central portion of the Choctaw country. The cession of 1801 covered the extreme southwestern corner of the Choctaw country in Mississippi. Few Choctaws, if any, lived in the ceded lands.

To maintain that "the pernicious practice of the corruption of the chiefs" at early treaty negotiations was the origin of official corruption in the later Choctaw government is a theory which contains subverted thought when analyzed. Such a theory would indicate weakness of the Choctaw racial mind, which enlightenment and education could not overcome. It would indicate that the race should be punished for the reprehensible acts of individuals. Yet, Chapter X, *Society in the Choctaw Nation*, sets forth the advancement of the Choctaws and the establishment of a modern, enlightened social order in their nation in the latter half of the 20th Century.

The United States as a Government never established nor accepted the definite policy of willfully defrauding the Indian people. As years passed, pledges on the part of the United States in the treaties were not carried out due to changes in administration and in the personnel of officials at Washington. These broken pledges thus became a matter of expediency in pushing the growth of the country oftentimes, without any regard to what happened to the Indians. This condition together with corrupt practices of some representatives of the Government, officials and others, who had not reached the point of holding "a civilized conception of disinterested public service" in their contracts and dealings with the Indians have left a blot on the history of Federal relations. Such questionable methods have included defamation of character and charges of corruption against individual Indians, which have been taken as the bases of written reports, arguments and briefs to be found even among U. S. Government documents. Some of these documents concerning the Choctaws were a part of the propaganda resorted to by the political and speculative forces in the States, that sought the furtherance of the Net Proceeds claim at Washington and the opening of the Indian country to white settlement. Therefore, students and writers of Choctaw history cannot accept

information set forth in all Government documents as facts in a given case, any more than they can recount the "mud slinging" that goes on during some political campaigns as the truth.

In Chapter IV, statements appear that reflect against John H. B. Latrobe, of Baltimore, attorney for the Choctaws during the making of the Treaty of 1866. There are also statements which may be interpreted by the uninformed reader as charges against the integrity of the Choctaw delegates of 1866, and particularly Allen Wright, one of the delegates and treasurer of the nation. Fairness and justice to the Choctaws who signed the treaty and to Mr. Latrobe calls for a brief review of conditions existing in 1865-6, which Miss Debo's volume either does not make clear or fails to recount.

The U. S. Commissioners in the first meeting with the Choctaws after the Civil War, held at Fort Smith in September, 1865, were radical and prejudiced against any person or group of persons who had been aligned with the cause of the Confederate States. The Choctaw delegates at this meeting were compelled to sign a preliminary agreement which made their nation "liable to a forfeiture of all rights of any kind, character and description, which had been promised and guaranteed" by the United States. Thus, the commissioners sought to establish the principle that former treaties with the Choctaw Nation had been abrogated by the United States during the war and all property belonging to the nation was subject to confiscation because it sided with the Confederate States. A drastic treaty based upon this principle was subsequently submitted by the commissioners at Fort Smith. By its terms, the Choctaws (1) were to surrender (together with the Chickasaws) approximately 3,500,000 acres of land *east* of the 98th Meridian for the settlement of Kansas Indians, compensation for the land to be determined later by the United States; (2) were to lose all annuities and other money withheld from payment by the United States between 1861-5; and (3) were to provide for their former negro slaves, subject to the approval of the United States,—namely, to establish them upon an equal footing with citizens of the nation in all rights, privileges and division of property. The Choctaw delegates refused to sign the treaty. Further negotiations were to be carried on at Washington.

The Choctaws took immediate steps to maintain the rights of their nation in the terms of the new treaty yet to be negotiated with the United States. An executive session of the Council was held in secret owing to the grave situation existing at the time. A resolution was passed stating that the Choctaws "would sooner yield all claims to any due the Nation on the part of the United Government, than to be induced or forced to sacrifice any principle of honor, which is due their people and posterity in regard to the territory which is so dear to them." The resolution "clothed" the delegates with *plenary power* for negotiating a treaty and gave them instructions in regard to certain provisions. Under no circumstances should an acre of land east of the 98th Meridian be sold. If the sale of these lands was forced upon them, the whole question was to be referred back to the people.

The five delegates chosen to proceed to Washington—Robert M. Jones, Allen Wright, Alfred Wade, James Riley, and John Page—were selected for their unquestioned ability to represent their nation and further its welfare. Under the former rights and privileges by existing laws, the one recourse open to the Choctaw Nation in its claim against the United States was to employ an attorney. In 1865-6, this could be accomplished through contract with agents and attorneys who were citizens of the United States. Colonel Jones, as an older and experienced leader (chairman of the Choctaw delegation at Fort Smith, president pro-tem of the Choctaw Senate during the secret executive session, and one of the wealthiest slave-holders and planters in the Southwest) made preliminary arrangements with Douglas H. Cooper and John Cochrane to employ legal counsel in behalf of the Choctaws in securing a new treaty. General Cooper, who had been U. S. Agent to the Choctaws and Chickasaws before the War and commander of the Confederate forces in the Indian Territory during the War, was thoroughly familiar with the affairs in hand. He had lately associated his interests with John Cochrane, agent for the 30% attorney contract on the Net Proceeds Claim. Under the preliminary arrangements made by Colonel Jones and General Cooper and Cochrane, the attorney fee in negotiating a new treaty was to be "one half of such sum as may be recovered," contingent upon securing for the Choctaw Nation by the terms of the new treaty, all back annuities, all land east of the 98th Meridian, and at the

same time avoid opening the country to the Kansas Indians and other tribes. Cooper and Cochrane engaged the services of John H. B. Latrobe, one of the most prominent and ablest attorneys on claims, in the East. These arrangements were the results of efforts to harmonize the interests and affairs of the nation, existing at the end of the War, and to supply a strong force to carry out negotiations most favorable to the Choctaws.

When they arrived in the East, the delegates called upon Mr. Latrobe for his advice and counsel in reference to the nation's affairs. No mention was made in regard to his compensation though it was understood through Cooper and Cochrane it was to be upon a contingent basis. Early in the negotiations, Mr. Latrobe succeeded in establishing the fact before departmental authorities at Washington that former treaty rights of the Choctaw and the Chickasaw nations had not been abrogated by U. S. presidential proclamation during the War. His work in drafting the new treaty in consultation with the delegates was known to the public and received the approbation of the Secretary of the Interior and the Commissioner of Indian Affairs.

The treaty making covered two steps: namely, (1) negotiating the document and (2) securing its ratification by the United States Senate. The first step ended with the signing of the document on April 28, 1866, by the U. S. Commissioners, the four Choctaw delegates—Wright, Wade, Riley, and Page (Jones having left Washington at an early date),—Chief Pitchlynn, and by the members of the Chickasaw delegation. Among the witnesses who also signed were Mr. Latrobe and Douglas H. Cooper.

Beginning the second step, the Choctaw delegates were called upon by Mr. Latrobe and his associates—Cooper and Cochrane—to assist in securing the ratification of the new treaty. Generally in making Indian treaties, after the document had been signed by the Indian delegates, it was laid before the Senate and its ratification furthered by Government officials. In view of conditions existing at Washington in 1866, the appearance of the delegates before members of the Senate was important for success in the work for the Choctaw Nation. The acceptance of the 9th and 10th articles of the treaty, which provided for the resumption of payment of all money, (approximately \$1,800,000 in back annuities, confiscated bonds, school funds and general funds), due the nation

in 1865, by the United States, and the ratification of the articles were vital to the nation in maintaining its government and schools and the general welfare of its citizens. The 10th Article also provided that the Net Proceeds claim (approximately \$2,500,000 of the U. S. Senate's award, 1859) and future annuities arising from former treaties should be paid. Thus, the 9th and 10th articles and also, articles 46 and 48, which provided for an advance of certain sums as soon as practicable after ratification, were analogous to appropriation measures before Congress. It required extra effort to secure their inclusion and ratification, owing to the rabid sectional feeling surrounding the political situation at Washington in 1866.

While the treaty was before the Senate, Mr. Latrobe, in behalf of his associates (Cooper and Cochrane) and himself, completed the preliminary arrangements made with Colonel Jones, in a written memorandum signed by Wright, Wade, Riley, and Page. The attorney fee was to be one-half of the back annuities and the confiscated bonds (and not less than \$100,000) withheld and diverted by the United States from 1861-5, contingent upon their recovery in the treaty when ratified. It was understood all parties associated in the agreement were to exert every effort toward the successful completion of the treaty, the members of the delegation to be paid for their services out of the attorney fee, contingent upon the inclusion of the 10th Article in the treaty when ratified.

The treaty was ratified by the Senate on June 28, 1866, and signed by President Johnson on July 10, following. By its terms, the Choctaw Nation was preserved with its former rights and privileges, all its land east of the 98th Meridian (under certain provisions for sectionizing and allotment in severalty), and all money due under former treaties. There were other important provisions for the regular organization of the so-called Indian Territory by the nations and tribes living therein.

After the ratification of the treaty, the Choctaw delegates and the attorney with his associates were paid for their services.

Wright, Wade, Riley, and Page received pay for their employment in negotiating the treaty, from early November, 1865, to April 28, 1866. The sum received by each was \$2,968, the premium on gold being at the rate of 40%. This amount included travel to and from Washington, \$440, and salary plus expenses,

\$10 per day, under provisions of the Act of the Choctaw Council on October 17, 1865.

Late in the summer, Mr. Latrobe received an advance of \$100,000, subject to the approval of the Choctaw Council, in the form of two payments, as his fee for services under agreement. This amount was paid out by Allen Wright, as treasurer, who received a receipt for the same. Latrobe and his associates retained half the amount, Latrobe receiving \$16,000 as his personal fee. Of the other half, Wright, Wade, Riley and Page each received \$9,583.33. Colonel Jones's share of \$9,583.33, as a member of the delegation, was taken in charge by Chief Pitchlynn pending a settlement for his having secured the release of a large amount of Jones's cotton confiscated by the United States during the War.

Force of circumstances compelled the four delegates to remain in Washington after the signing of the treaty on April 28. When they were selected as members of the delegation in October 1865, they had no funds to go on but had to borrow money personally, at interest, and run on credit in meeting expenses at Washington. They remained in the city five months after April 28, furthering the affairs of their nation. Choctaw finances in the hands of the U. S. Government were in such a chaotic condition due to the Civil War, that even after the ratification of the treaty, the delegates were uncertain when any payments in money would be made the nation. Though they finally received back pay for services and personal expenses up to April 28, they still had to meet their own expenses after that date, until their departure the last of September. When they were paid out of the attorney's fees for services rendered in securing the ratification of the treaty, the nation was thereby saved several thousand dollars for salary and expenses that would have been lawfully due the delegates for that work. This amount would have been in addition to the attorney fee, the whole of which could have been legally retained by Mr. Latrobe.

On page 88, Miss Debo stated that Mr. Latrobe "maintained that he wrote and secured the adoption of the peace treaty." She took the position that Mr. Latrobe did not give the members of the Choctaw delegation credit nor recognition for their efforts in

securing the treaty. In comparing her statement with Mr. Latrobe's *Address to the Choctaw and Chickasaw Nations* (Baltimore 1873), cited by Miss Debo as her source of information, one finds Mr. Latrobe wrote as follows (*italics the reviewer's*):

“* * * Whether ill done or well done, the work was mine. To say that the treaty, or anything like it was prepared at the Department is to misrepresent the fact. Competent as was the Secretary of the Interior or the Commissioner of Indian Affairs, to suggest and prepare just such a treaty as was made, it so happened that on this occasion their part of the work was to discuss what was offered to them. *The treaty itself was prepared by me in consultation with your delegates, held day after day, during the winter of 1865-6*; altered, amended, changed and improved until the nine articles of the project of Fort Smith, which were all that the Indian Bureau proposed in the first instance as a basis, were expanded into the fifty-one articles of the treaty that was finally ratified by the Senate.

* * *

“One thing is certain. I was not competent of myself to do all that was required in prosecuting the claim of back annuities, reaffirmed by the 10th Article, out of which my fee was to be paid. My profession, after the negotiation of the treaty, confined me to Baltimore.—But services were to be rendered in Washington. The ratification of the treaty placed back annuities in the category of ‘Claims on Government.’ I could write arguments, prepare memorials and conduct correspondence,—all of which I have done, until my correspondence alone, in this connection more than doubles all the other correspondence of an active practice. But I could not take up my residence in Washington, hunt for information in the public offices, urge estimates at the Department, explain to members merits of appropriations, and furnish them with materials for discussion, even when it was possible to excite some passing interest in a matter apart from politics and touching private rights alone. This was to be done by persons at the seat of Government, such as are stigmatized by the late Chairman as ‘claim agents,’ as if, without such agents, claims prosecute themselves. Sometimes, this could be better done by the agent than the principal. Sometimes, the appearance of the principal was required to expedite the business. In this Indian

matter, the appearance of the Indians themselves gave weight to their application, and secured a hearing, when a local agent would be put off to a more convenient season.

“It was for services of this description that the delegates were to be paid out of the compensation mentioned in the contract made in my name. Services wholly distinct from the negotiations of the treaty,—to be performed when, all their duties in regard to the treaty having ceased, it had passed out of their hands, and was before the Senate for ratification. Services which they had the same right to engage in, as any others of their people; and in the contract, made in my name, these were the services, which, if called upon, they were expected to render, to be paid for, not by their people, but out of my own contingent compensation.”

Not one of the Choctaw delegates of 1866 did anything but what he thought was just and right in view of the conditions and the laws existing at that time. When they returned to their nation, the Council approved all their acts in securing the treaty.² As for Allen Wright, one of the younger men on the delegation, his personality, ability and educational advantages won for him recognition as a leader during his sojourn at Washington. A man

²Chief Peter Pitchlynn had been in Washington during the whole period of the treaty making and was acquainted with all the acts of the delegates. He no doubt exerted his influence to secure the treaty and advised the delegates, because of his knowledge of affairs and his acquaintance at Washington. It was through Pitchlynn that the delegates were able to borrow some of the money they were compelled to secure in order to meet their expenses during the time of the treaty making. When the delegates received pay (\$2,968) for negotiating the treaty, Pitchlynn also received the same amount (\$2,968) as an advance subject to the approval of the Choctaw Council, in order to meet his own expenses. Allen Wright, as treasurer, received a receipt for this sum from Pitchlynn who pledged his Masonic honor he would return the money to the Nation if the Council did not approve the advance. Upon his return to the Nation, Wright presented his treasurer's report to the Council which approved the same with the exception of the sum advanced Chief Pitchlynn. At this time (about the middle of November, 1866), Wright was succeeded in his office as treasurer by T. J. Bond who receipted Wright in full for his papers as treasurer. Some time later, Chief Pitchlynn paid the sum advanced him by Wright, in the form of a draft on Riggs and Company of Washington, prominent bankers in good standing at the time, the draft being made payable to T. J. Bond as treasurer of the Choctaw Nation. The draft was not cashed immediately, the whole matter remaining unsettled. In the meantime, Wright's official bond as treasurer remained uncanceled, thus making him liable to pay the amount advanced Pitchlynn. For this reason, about 1870, Wright entered a mandamus suit before the courts of the Nation to settle the matter. By its decision in a review of the case, the Supreme Court of the Nation cancelled Wright's official bond as treasurer and returned it to him, leaving the matter of the Pitchlynn draft open, pending a settlement between Pitchlynn and the Nation in regard to the Net Proceeds Claim.

of principle and honor, he considered it his duty to apply himself energetically to each task that he was called upon to perform in furthering the welfare of his people. During the period of one year (1865-6), he served as treasurer of the nation, delegate to Fort Smith, delegate to Washington to negotiate a new treaty, was specially employed to assist in securing its ratification, and just before returning home, received word he had been elected principal chief. He served two consecutive terms (four years) in this position and remained to the end of his life beloved by a host of friends and a respected citizen of his nation, whose advice and counsel, due to his ability and experience, were sought by leaders among his people and in the States. What he accomplished in the educational and governmental affairs and in the mission field was outstanding in the history of the Choctaws and of the Indian Territory.

However, the delegates of 1866 were not the only Choctaw officials against whom derogatory remarks and charges were made in Miss Debo's volume, without due regard for proofs of such statements. In Chapter X, pages 243-4, she concludes her deductions in a sweeping generalization on the character of the Choctaws—

“A people strangely gifted in thought and speech but slow in action and practical judgment, deeply susceptible to religious feeling but inclined to violent deeds, withdrawing to themselves in clannish reserve yet kindly and friendly to other races, loving their country but condoning corruption, receptive to new ideas but clinging to their institutions with desperate tenacity—a people who were being submerged but not absorbed in the waves of white immigration that were flooding their country.”

Contradictions to these deductions are found elsewhere in the book. According to the above, the Choctaws were “slow in action and practical judgment,” yet from the conclusions drawn in Chapter I, page 23, they were *practical minded and adaptable*; “deeply susceptible to religious feeling,” yet in Chapter I, they were distinguished for *the absence of religious feeling*; “condoned official corruption,” yet in Chapter I, they seemed to have a *contempt for falsehood and a high sense of honor in dealing with their friends*.

According to the above generalization, the Choctaws were "strangely gifted in thought and speech" and "clung to their institutions with desperate tenacity," yet the last page of the book sets forth the statement they had *unwittingly chosen their ultimate destiny * * the white man's road*. Again from the above, they were "a people who were being *submerged* but not *absorbed* in the waves of white immigration," yet on the last page, they were said to have been *absorbed* and *merged* into "the composite citizenship of the newest commonwealth."

Such contradictory statements are a travesty on the character and the record of the Choctaw people.

—Muriel H. Wright.

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

The first regular meeting of the Board of Directors of the Oklahoma Historical Society for the year 1935 met in the Historical building, Oklahoma City, Oklahoma, January 24, 1935, at 10:00 A. M., with Judge Thomas H. Doyle, vice president, presiding.

Roll call showed the following members present: Judge R. L. Williams, Mrs. Blanche Lucas, Dr. Grant Foreman, Gen. William S. Key, Judge Harry Campbell, Judge Baxter Taylor, Mrs. John R. Williams, Judge Thomas A. Edwards, Dr. Emma Estill-Harbour, Mrs. Jessie E. Moore, Gen. Charles F. Barrett, Mr. Jasper Sipes, Mrs. Frank Korn, Dr. Joseph B. Thoburn, Gen. R. A. Sneed, Judge Thomas H. Doyle, Col. A. N. Leecraft, and Mr. John B. Meserve.

Dr. Grant Foreman moved that a committee be appointed to draft resolutions on the death of Col. Charles F. Colcord, late president of the Society. Motion was seconded and unanimously carried.

* * *

Dr. Grant Foreman read his report on the removal of Indian records from the various Indian agencies and offices in the State of Oklahoma to the Historical building, which was ordered received and filed.

* * *

Judge R. L. Williams introduced Mr. H. O. Boggs, State Representative from Latimer County, who is also a member of the Appropriation Committee of the State Legislature, and who was invited to remain for the meeting.

Dr. Grant Foreman read his report on Fort Gibson, setting forth the work done on the old barracks building and also reported the acquisition of two additional lots in Fort Gibson on which stood the ammunition house and old oven, and recommended that life membership be conferred on Mr. John G. Catlett and Mrs. J. Garfield Buell on account of donations to acquire the site on which the old barracks building stands, and that life membership be conferred on Dr. C. P. Wickmiller for his numerous contributions to the Museum.

Judge R. L. Williams moved that the rules be suspended and that Mr. John G. Catlett, Mrs. J. Garfield Buell and Dr. C. P. Wickmiller accordingly be elected life members of the Oklahoma Historical Society, and that a vote of thanks be extended to Dr. Grant Foreman and Mr. F. Alex Todd for their work. Motion was seconded and unanimously carried.

Judge R. L. Williams presented to the Society for its archives the following items:

Poster dated September 25, 1897, in which Henry M. Cooper, U. S. Marshal, Eastern District of Arkansas, Little Rock, offered reward of \$450.00 for the arrest and conviction of Harve Bruce and Turner Skidmore charged with killing Deputy Marshals B. F. Taylor and J. M. Dodson.

Poster dated September 13, 1897, in which G. W. Wilson, Acting Commissioner of Internal Revenue, Treasury Department, Washington, D. C., offered reward of \$150.00 for the arrest and delivery to U. S.

Marshal, Eastern District of Arkansas of illicit distillers charged with the murder of Deputy U. S. Marshals B. F. Taylor and Joe M. Dodson.

Original letter with three photostat copies, dated October 8, 1861, Tahlequah, Cherokee Nation, advising that the Cherokee people had passed resolutions authorizing a Treaty of Alliance with the Confederate States.

Letter dated September 19, 1867, signed by J. W. Drum, U. S. Indian Agent, for Creeks, Creek Agency, I. T., to Spo-ko-kee Yahola, Chief of the Tukabatchee Creeks requesting the privilege of assembling his people.

Document signed by March Thompson, Judge Eufaula District, M. N., to Choelee Harjo, order to serve as appraiser of the estate of Semok-cho, deceased. Dated January 8, 1895.

Document signed by March Thompson, Judge Eufaula District, M. N., to Choelee Harjo, to serve as appraiser of estate of Jefferson Stidham, deceased. Dated July 3, 1885.

Letter signed by B. F. Standley, citizen of Choctaw Nation, to District Judge Eufaula District, Creek Nation, protesting against W. J. Pevehouse, a non-citizen of Indian Territory residing in the Creek Nation unless he paid his rent in the Choctaw Nation, where he had previously lived. Dated February 8, 1887.

Document signed by G. W. Stidham, Jr., G. W. Stidham, Sr., and L. G. Stidham, Eufaula, I. T. recommending certain non-citizens as fit to remain in the Creek Nation. Dated April 2, 1887.

Document signed by J. M. Perryman, Principal Chief, Muskogee Nation, Okmulgee, commissioning Jake Matoy as prosecuting attorney of Eufaula District, Creek Nation, I. T. Dated December 3, 1887.

Letter signed by Jno. R. Moore, Treasurer, Creek Nation, Okmulgee, I. T., licensing Judge C. S. Smith to furnish ties to railroad company. Dated April 24, 1888.

Document signed by Judge Chowe Colbert, Eufaula District, license permitting J. C. Matoy to practice law in Eufaula District. dated December 18, 1889.

Letter written and signed by L. Q. C. Lamar, Oxford, Miss., to Thomas I. Hudson, Lamar, Miss., with two photostat copies. Dated September 18, 1860.

Document signed by Michael Reinhardt, County of Marshall, State of Mississippi, deed giving five Negroes to his daughter Eliza Ann Hudson and her husband. Also two photostat copies of same. Dated October 2, 1847.

Letter written and signed by Jefferson Davis, Washington, to Hon. Thomas I. Hudson, advising that he did not feel suited for the office of vice president of the United States, but suggested other offices that he would accept. Two photostat copies of same. Dated November 25, 1850.

Document signed by S. A. Bigbey, Associate Justice Supreme Court, Cherokee Nation, license permitting Daniel Gritts to practice law before the District, Circuit and Supreme Courts of Cherokee Nation. Three photostat copies of same. Dated August 6, 1883.

Judge Baxter Taylor moved that we accept the donation and that the thanks of the Society be tendered to the donors. Motion was seconded and carried.

* * *

Judge Harry Campbell introduced Mr. James H. Gardner of Tulsa.

* * *

A recent addition to the Museum, that of a copy of the George Inness painting, Autumn Oaks, reproduced and given by Mrs. A. E. Davenport (Julia Chisholm Davenport) was reported.

Col. A. N. Leecraft moved that Mrs. A. E. Davenport be given a life membership in the Society in appreciation of her gift. Motion was seconded and unanimously carried.

The Chair announced the following members of the Legislative Committee, which was provided for in the meeting held July 26, 1934: Judge R. L. Williams, Chairman; Judge Thomas A. Edwards and Gen. Charles F. Barrett.

Mrs. John R. Williams moved that a portrait of the present Governor of the State of Oklahoma be procured and hung in a place designated by the committee in charge, to remain there during his term of office, then to be removed to the gallery reserved for these noted persons. Motion was seconded and carried.

The following visitors from Okmulgee were introduced: Mr. E. W. Cowden, president of the chamber of commerce, Mr. John White, secretary of the chamber of commerce and Mr. Orlando Swain, secretary of the Creek Indian Memorial Association.

Mr. John White discussed the annual meeting of the Oklahoma Historical Society that is to be held in Okmulgee and asked that the date of the meeting be fixed.

Judge R. L. Williams moved that the annual meeting of the Oklahoma Historical Society be held in Okmulgee May 10th and 11th, 1935. Motion was seconded and carried.

Judge R. L. Williams moved that a committee of three consisting of Judge Harry Campbell and Judge John B. Meserve of Tulsa and Dr. Grant Foreman of Muskogee be added to the standing committee on annual meeting programs, to co-operate with the citizens of Okmulgee to arrange for this coming meeting. Motion was seconded and carried.

* * *

Mr. James H. Gardner was asked to explain the situation concerning prehistoric mounds in eastern Oklahoma, which he did very fully, stressing the necessity of securing title to the property on which these mounds are located, if they are to be preserved for the benefit of future historical knowledge.

Judge R. L. Williams moved that the Society provide a fund of \$300.00 out of the private funds of the Society to supplement other funds to be provided by other state agencies to acquire title to all or a part of the land on which these mounds are located, to be made into a state park; and also that an effort be made to supplement the amount by private donations. Motion was seconded and carried.

Gen. R. A. Sneed reported the progress made on marking the grave of Nathaniel Pryor.

Gen. William S. Key moved that the committee be continued, and that proper steps be taken to acquire title to the tract on which this grave, with others, is located. Motion was seconded and carried.

Mrs. Jessie E. Moore reported on the removal of the old capitol of the Chickasaws to the grounds of the Murray State School of Agriculture. She reported that she had secured the co-operation of Mr. Clive Murray, president of the Murray State School of Agriculture and the county sheriff, Mr. Fred Hunt, and that it was decided to locate the building on the old capital grounds, on which now stands the county court house, and that the work of moving and restoring the building is now in progress.

Col. A. N. Leecraft moved that Mrs. Jessie E. Moore, Mr. Clive Murray, Mr. Fred Hunt, the mortgage company which released the old building so it could be moved, and the agent of the mortgage company at Durant be given a vote of thanks, and that Mrs. Moore be permitted to expend a sum out of the private funds of the Society, not to exceed \$50.00, for expenses incurred in moving and restoring this building. Motion was seconded and carried.

The matter of electing a successor to the president deceased, Col. Charles F. Colcord, was taken up.

Judge R. L. Williams moved that Judge Thomas H. Doyle be elected president of the Oklahoma Historical Society, and having received a second put the motion which was unanimously carried, and Thomas H. Doyle was declared elected president of the Oklahoma Historical Society.

Judge R. L. Williams moved that Samuel W. Hayes be elected to fill the vacancy on the board of directors occasioned by the death of Charles F. Colcord, and that the rules be suspended and the secretary be instructed to cast the ballot of all members present to elect Samuel W. Hayes to fill the vacancy in the board of directors occasioned by the death of Col. Charles F. Colcord. Motion was seconded and carried.

The question of absentee members of the board of directors from meetings of the board was discussed.

Col. A. N. Leecraft moved that the secretary look up the records and see how many members missed the last three consecutive meetings without an explanation, and that they be advised that their membership automatically terminates and quote Sec. 4 B of Art. V. of the Constitution and By-Laws of the Oklahoma Historical Society as amended March 31, 1932. Motion was seconded.

Judge R. L. Williams moved to amend by adding that all members of the board of directors who have missed three consecutive meetings without explanation of absence stand with such membership on the board as terminated, but be notified of such action conditioned that they may appear at the next meeting of the board to show cause why such action of this board should not become final with the adjournment of said meeting of the board. The amendment was accepted and the motion as amended was carried.

Mrs. Roberta Lawson's secretary reported that Mrs. Lawson was out of the State and would not return in time for this meeting, and upon motion of Col. A. N. Leecraft her absence was excused.

Dr. E. E. Dale reported that he would be unable to attend on account of enrolling students in the State University, and upon motion of Col. A. N. Leecraft his absence was excused.

Judge William P. Thompson reported that he would be compelled to attend court on the day of the meeting, and upon motion his absence was excused.

Judge Baxter Taylor moved that the board of directors extend their sympathy to Mrs. Blanche Lucas on the death of her husband, Frank B. Lucas, one of the pioneers of the State, and upon being seconded the motion was carried.

Judge R. L. Williams moved that the board of directors extend their sympathy to Mrs. John R. Williams on the death of her mother, Mrs. M. J. DeLesdernier, also one of the pioneers of the State. Motion was seconded and carried.

The following list of applicants for annual membership in the Historical Society was presented:

Leda Anderson, Oklahoma City; Russell O. Berry, Oklahoma City; R. L. Biggart, Cordell; J. D. Brown, Follett, Texas; W. Max Chambers, Okmulgee; E. W. Cowden, Okmulgee; Mavis Conwill, Chickasha; E. Dunlap, Ardmore; Don V. Eells, Okmulgee; R. H. Emans, Sayre; James B. Evans, Jr., Waco, Texas; Frank Fisk, Oklahoma City; Charles E. Forbes, Stillwater; Mrs. George E. Gillian, Oklahoma City; Dorsey W. Grier, Okmulgee; Wyatt Hagen, Shattuck; Ben Hatcher, Ada; Mrs. George A. Henshaw, Oklahoma City; George Hunt, Mountain View; L. M. Keys, Long Beach, Calif.; Arthur R. Lawrence, Lawton; Charles D. Lutz, Oklahoma City; Sol H. Mackey, Shawnee; John A. MacDonald, Durant; Mrs. Harold D. McEwen, Oklahoma City; Dr. V. E. Martin, Carnegie; Herbert F. Miller, Tulsa; Mrs. Mary Fritts Mosshart, Driftwood; Judge Roy Paul, Durant; R. L. Peebly, Oklahoma City; S. R. Pinkston, Wellington, Texas; Mrs. Eva Rawlins, Enid; J. W. Ross, Tulsa; Todd Sanders, Lawton; Frank Shipley, Oklahoma City; Albert M. Staas, Freeport, Ill.; William Kent Suthers, Arnett; A. I. Thompson, Oklahoma City; C. R. Thornton, Cordell; John M. White, Okmulgee; Wallace Wilkinson, McAlester; and A. D. Young, Edmond.

Judge R. L. Williams moved that they be elected annual members of the Oklahoma Historical Society. Motion was seconded and unanimously carried.

Mr. Earl Boyd Pierce, secretary of the sponsoring committee of Muskogee, appeared before the board and read the title to a bill that had been introduced in the legislature, in regard to securing funds for the reconstruction of the old stockade at Fort Gibson, under the title of the Fort Gibson Stockade Commission, which upon motion of Dr. Emma Estill-Harbour was endorsed and the Board extended a vote of thanks to Mr. Pierce for his work in endeavoring to preserve the old stockade at Fort Gibson.

The following committee was appointed to draft a memorial resolution for Col. Charles F. Colcord president deceased of the Oklahoma Historical Society: Dr. J. B. Thoburn, chairman, Judge R. L. Williams and Mr. Jasper Sipes.

The following committee was appointed to confer with Governor Marland in regard to saving the prehistoric mounds in the eastern part of the State and securing title to the property for a state park: Dr. Grant Foreman, Chairman; Judge Harry Campbell, James H. Gardner, Judge Thomas A. Edwards, and Dr. J. B. Thoburn.

* * *

Col. A. N. Leecraft moved that the Board of Directors give Mr. O. H. Boggs, member of the House of Representatives and also a member of the Appropriation Committee, a vote of thanks for his interest in the Historical Society and attendance at this meeting. Motion was seconded and carried.

Mrs. Jessie E. Moore moved that the Indian Research Department be re-instated and that the Appropriation Committee be requested to provide funds for the salary. Motion was seconded and carried.

Judge Thomas H. Doyle expressed his sincere appreciation of the honor of being elected president of the Oklahoma Historical Society.

Upon motion of Mrs. Frank Korn the meeting stood adjourned.

Judge Thomas H. Doyle, President,
Presiding.

M. A. Mulholland, Chief Clerk.



EDWARD MERRICK

EDWARD MERRICK

EDWARD MERRICK was born at Okawville, Washington County, Illinois, July 19, 1861. He was a son of John and Margaret Merrick who formerly lived in Baltimore, Maryland. He attended the Southern Illinois University at Carbondale, Illinois, studied law in the office of C. M. Foreman, and in 1880 was admitted to the bar in his native state.

In 1885 Mr. Merrick was appointed corporation clerk in the office of the Secretary of State for Illinois. At the expiration of his term he opened a law office in Nashville, Illinois, which he conducted while his partner was serving as a member of Congress.

While living in Nashville Mr. Merrick became acquainted with Thomas B. Needles who later became a member of the Commission to

the Five Civilized Tribes, commonly known as the Dawes Commission. His health became impaired and he went to Ashville, North Carolina, hoping that the higher elevation would benefit him. Later, at the suggestion of Col. Needles, he came to Muskogee, March 4, 1901, where he became a law clerk with the Dawes Commission, a position he held for thirty years.

Mr. Merrick's fine legal mind and judicial temperament early impressed his superiors, who frequently called him into conference on matters of importance relating to the broad field of the Dawes Commission. Mr. Merrick's studies of the Indians, their laws and customs, and the application of those subjects to the changing conditions the government was engaged in producing, developed in him a sound and mature judgment that commanded the respect of the Ear of Eastern Oklahoma. He was long considered by the Dawes Commission, the best informed man on these subjects and on the legal complications arising in the administration of Indian affairs. He was often called as a witness to testify in important law suits concerning Indian laws and customs.

Mr. Merrick was married August 7, 1902, to Miss Lona Cummings, a member of the Creek Nation, and a daughter of Rev. David Cummings, a Baptist minister at Hanna, Oklahoma. Miss Cummings for a number of years before her marriage, had served as Creek Interpreter in the office of the Dawes Commission, and was regarded as one of the best interpreters in the Indian Service.

With the coming of statehood, Mr. Merrick, a Republican, resigned his position with the Dawes Commission, and was elected from Muskogee County in the Second Session of the Legislature of Oklahoma. At the end of the special session in 1910, he resumed his work with the Commission.

After thirty years of service at Muskogee, Mr. Merrick was retired under the law in 1931. The sundering of the ties that had bound him to the service, deeply touched his 139 friends in the Indian office, who tendered a banquet to him and his wife as an expression of the strong affection in which he was held by them, and of deep regret at the termination of their long and pleasant association. Many beautiful and touching speeches were made, testifying to the affection in which Mr. Merrick was held, and telegrams and letters were read from prominent men in high official positions in the Indian Service in Washington, expressing their regret that they could not be present to testify to the high esteem with which he and his service were regarded in the Indian Department.

Edward Merrick was a member of the First Methodist Episcopal Church, and of all the Masonic bodies, including the Shrine. He had been a member of the Odd Fellows for nearly fifty years. He died November 4, 1933, at his home in Muskogee. He was survived by his widow, by a brother, Dr. Charles H. Merrick, and his sister Mrs. J. W. Miller, both of Okawville, Illinois. Other survivors are Mr. C. R. Harriman and Mrs. Rachel Harriman of Shawnee, Oklahoma.

The funeral services at the First Methodist Episcopal Church in Muskogee, were conducted by Rev. W. E. Robinson, and the mortal remains of Mr. Merrick were buried at Greenhill Cemetery, Muskogee, November 6, 1933.

—Grant Foreman.

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OKLAHOMA CITY, OKLAHOMA



OLD CREEK COUNCIL HOUSE

Chronicles of Oklahoma

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THE OLD COUNCIL HOUSE

By George Riley Hall

The session of the annual meeting of the Oklahoma Historical Society, which met at Okmulgee, May 10 and 11, 1935, was held in the Old Council House of the Creek Nation.

While this building is not as old as some other structures in the old Indian Territory, yet it is one of the most interesting, picturesque and historic places in the State of Oklahoma. It was, at one time, Capitol of the Creek Nation.

In this old building are the rooms where the different departments of the Creek government were administered; here are the halls where the sessions of the two branches of their legislature were held before Oklahoma became a state and their remnant of sovereignty merged into that of the Sovereign State of Oklahoma. It was not "the Senate and the House" in the Creek government, but the "House of Warriors" and the "House of Kings."

It was in the House of Warriors that the Society held its 42nd Annual meeting—perhaps the most interesting number on the program was the address by George Riley Hall, editor, *Henryetta Free Lance*, including an original poem entitled: "The Old Council House." His address follows: —D. W. P.

My friends, in retrospect I see again Okmulgee as it was in 1890—a straggling village, but the capital of a nation. In memory I see the members of the House of Warriors and the House of Kings assembled here in solemn conclave on affairs of state. I see the light-horse captains and their force of men. I see the stern-faced justices that constitute the Red Man's court of last resort.

The persons and events I mention here today belong in that dim vista Bryant visioned when he said:

“Thou unrelenting past!

Strong are the barriers 'round thy dark domain!

And fetters, sure and fast,

Hold all that enter thy unbreathing reign.”

The Persian master of the quatrain said about the same, and that in language not to be forgotten:

“The moving finger writes; and having writ, moves on.”

Time's moving finger wrote some chapters in my early life, and tied them firmly to the scenes about this old, historic place. When first I saw this rock-walled capitol, I scarce had charted any course to guide my craft across the troubled sea of life. And fate decreed that I should teach the children of the Indians, and thus prepare them for the coming of the pale-face—an event even looked forward to with dread.

And thus the early events of my life took root about this ancient capital. I met and learned to know the statesmen of those early years. I knew the chieftains, knew the judges and the people of the tribe. Knew the educators; knew their hopes and plans to help prepare the younger people for the change that all felt sure would come.

Political conspiracies existed then, as now, but were confined to Indians alone. A sudden turn in politics replaced the treasurer, and put the youthful Posey in a place of trust when that young man was only twenty-two. To put a nation's cash in such young hands seemed hazardous, and yet no whisper of suspicion ever has been heard.

In 1895 I took a place as teacher in the “Mission” school just east of town. There Alexander Posey held the reins, and there we lived and labored for a time. In idle hours we read the “grand old masters,” scribbled verse and dreamed day-dreams of how we hoped to write a line that all might read.

But still another turn in politics gave Posey supervision over all the hundred schools. And later on, in that capacity he visited again the scene. He told me that he scarcely slept, all night, so busy were his memory and super-charged emotions growing out of years he spent in that same school. For there he loved

and married. There his first-born son was ushered into life. And from that restless night he spoke about, he wrote as sweet a song as ever came from his inspired pen. For death had been busy. His former music teacher, Rosa Lee, had died of fever; and his little brother, Jim, had passed away since we had all foregathered in the Mission school.

And his abode was then Bald Hill, his father's ranch, where he had lived while yet a boy. And I was living in the Deep Fork Valley on a farm. And he inscribed those lines to me because he knew that I could share his sense of grief, and he concluded the poem with these lines:

"Though far apart we've wandered, Hall,
 'Twixt you and me there's but a single river;
And but a single mountain-wall;
 'Twixt Rose and Jim and us the vast forever."

And now he has joined the Eternal Silence. He is with Jim and Rose, and that same "vast forever" separates them and me!

When I look back into those days, and think of all who have gone on, I feel almost a sense of personal guilt that I am here—lively as a grasshopper, when so many of my compeers have gone on. I put myself in Tom Moore's place when he said:

"I feel like one who treads alone
 Some banquet hall deserted—
Whose lights are fled, whose garlands dead,
 And all but he departed."

Looking back through the years, I might almost sympathize with Tom Campbell's "Last Man" who saw creation shrivel up and die.

But I am glad that I was here to see the primal simplicity that marked this land before the spoilers came with railroads, highways, skyscrapers, air planes and commerce. This country was beautiful then before the hand of man marred its pristine loveliness. Our modern civilization has created great artificial beauty, but has spoiled much natural beauty.

In the presence of such distinguished historians as Dr. Dale and Grant Foreman I shall touch history only where history has

touched me. In fact I was not asked for history, but poetry. And the few simple stanzas to which these remarks are but a preface must speak for themselves. It seemed impossible to say these things without a free use of the vertical pronoun, but you will find it entirely absent in the verse.

Nor have I mentioned any person in these stanzas save those I knew personally. The natural eloquence of the Indian is well known, but probably few white men have heard more of this native eloquence than I. I have heard the late Albert McKellop, attorney-general of the Creek nation, in his pleadings before the Supreme Court. I have heard Chief G. W. Grayson in his addresses before the assembled kings of the Indian legislature. And I have listened to the moving eloquence of Chitto Harjo in his patriotic plea to hold the land "so long as grass shall grow or water run." Nor have I ever heard a human voice that carried more appeal or kindled greater sympathy than that of Chitto Harjo—Crazy Snake.

And back of every stanza in this little poem lie unwritten chapters of a people's tragic fate. The friendly rifle-ball that ended Timmie Jack's career was music as compared with legislation which spelled doom to every nation of the Five Tribes.

THE OLD COUNCIL HOUSE

Beneath the giant sycamore, the stately elm
That guard this old rectangle from the fierce today
May throng the ghosts of those who grasped the helm
Of Indian affairs, now drifting far away.

These time-stained ivied walls have echoed back the shout
Of native statesmen in profound, sincere debate
When governmental treaties seemed to be in doubt
And vast uncertainties obscured the Red Man's fate.

These storied walls have heard the passionate cry
Of stately Grayson in his patriot appeal
That, though autonomy might fade away and die,
Yet human destiny the Red Man's will should feel.

And here the stolid Isparhecher stood in gloom,
Unsmiling, stern, implacable, erect and strong,
With sad, prophetic mind he seemed to sense the doom
That hovered over all the land when came the throng.

And pious Motey Tiger, with a smile for all,
Dispensed diminished powers in his realm of might.
He saw the pillars shaken—saw the structure fall
But never lost his faith in God and in the right.

And here the learned Posey tuned his harp to song
And gave his youthful fancy freedom to take wing.
And though that voice is silent yet the music floats along
And lives in loving hearts that still can hear him sing.

These mortared walls have seen a nation, silent, die.
Have seen a people's hope submerged in utter gloom,
Have seen a proud ancestral race with scarce a sigh
Consign their cherished institutions to the tomb.

And still the star of hope can never set or fade.
A mingled strain of blood shall warm a sturdy race
And in the halls of learning or the busy marts of trade
The blood of aborigines shall find an honored place.

And solons yet unborn shall proudly claim a trace—
Some future Owen or a Curtis in the hall of fame
As blood of Erin's kings proclaims that ancient race
And gives earth's greatest men an Irish name.

As kindly Nature heals man's scars on earth with grass
Or lovely flow'rs that leave no tell-tale marks to see,
So Time shall heal these mortal wounds as ages pass,
And man shall be what God intended man to be.

And we who mark the trend of events here today
And scribble current history as best we can
Should soothe these ancient, burning wounds as best we may
And thus bestow a blessing on the coming man.

—George Riley Hall.

At the conclusion of his address Mr. Hall was called upon
to read his own—the Oklahoma classic poem:

LAND OF THE MISTLETOE

Land of the Mistletoe, smiling in splendor,
Out from the borderland, mystic and old,
Sweet are the memories, precious and tender,
Linked with thy summers of azure and gold.

O, Oklahoma! fair land of my dreaming!
Land of the lover, the loved and the lost,
Cherish thy legends with tragedy teeming,
Legends where love reckoned not at the cost!

Land of the Sequoyah, my heart's in thy keeping,
O, Talladega, how can I forget!
Calm are thy vales where the silences sleeping
Wake into melody tinged with regret.

Let the deep chorus of life's music throbbing
Swell to full harmony, born of the years;
Or for the loved and lost, tenderly sobbing,
Drop to that cadence that whispers of tears.

Land of the mistletoe, here's to thy glory,
Here's to thy daughter, fair as the dawn,
Here's to thy pioneer sons, in whose story
Valor and love shall live endlessly on!

—George Riley Hall.

CHITTO HARJO

At the annual meeting of the Oklahoma Historical Society, held at Okmulgee May 10th and 11th, a number of historical sketches, or they may be termed essays, written by students of the Okmulgee public schools, were presented to the Society. These sketches pertained to the history and traditions of the Creek, or Muskogee tribe of Indians. The subject was very appropriate as the annual meeting was being held in the capital of the old Creek Nation and in the capitol building. The students of the Okmulgee schools have made a study of their local history and have had the advantage of much of the original source information.

These students are to be commended for their good work in compiling the history and traditions of their own part of the State and helping to preserve the historical events as well as the folklore of the Creek people. All these students' essays are filed in the archives of the Oklahoma Historical Society and will be available to research workers.

The society voted to have published in the *Chronicles* the following biographical sketch of Chitto Harjo, better known as Crazy Snake written by Mace Davis, a student of the 12th grade.

—Editor.

Chitto Harjo, popularly known as Crazy Snake, expressed the philosophy of his life when he said that he would not mind so much playing the white man's game if only the white man would not make all the rules. He thus summed up, perhaps unconsciously, the long losing fight he had waged against tremendous odds. He had tried to play the red man's game, but the white man was the referee and changed the rules as often as was expedient. Indomitable of will, firm and unchanging of purpose, Harjo stood firmly but unsuccessfully against the resistlessly inrolling tide of white immigration. It was a final conflict between two civilizations: one powerful with all the massed-up strength of generations, and with land hungry hordes following up and even preceding the conquests of the government; the other was few in numbers, lacking the resources and solidness of a civilized state, and possessing land and homes only at the sufferance of the white man. There could

be but one issue to such a conflict, but that great Indian, although half-knowing that the fate of the red man was written, followed in the way of his forefathers in defiance of the law of the white man.

Chitto Harjo was born about the year 1854 in Creek Indian Territory, now a part of Oklahoma. Nothing is known of his early life except that he was a follower of Isparhecker, who was the leader of the federal element among the Creeks during the Civil War. Harjo showed promise of leadership and gained prominence in a tribal disturbance called the Green Peach War.

In 1892 the long feared spectre of division of tribal lands took tangible form when Congress created the Dawes Commission for the purpose of inducing the Indians to agree to allotment of lands. Harjo at once became the acknowledged leader of the dissenting faction. As a member of the House of Kings he continually warned his people that allotment of lands would lead to the final step in the white man's dominance over the Indian. He foresaw with the utmost clarity that to break up the old communal system of land ownership by allotting a quarter-section to each Indian would be to crumble the foundation of tribal unity and government. He was a prophet, at once denouncing his people for straying from the way of their forefathers and warning them that the destruction of the Creek nation was imminent.

Harjo's followers were mostly fullbloods, but at a later time many negroes of part Indian blood were admitted into the Snake faction. As Harjo is most widely known as Crazy Snake, and his followers were designated as Snakes, it would be well to explain whence the term came. Chitto is a Creek word meaning snake, and Harjo signifies one who is brave beyond discretion, foolhardy, or in a loose sense, crazy. Thus Chitto Harjo became known to the whites as Crazy Snake.

In general, the half-breeds and intermarried citizens of the Creek nation favored the allotment of lands. Many of them already owned fine farms, and all of them expected to gain if the white man's civilization supplanted the old communal system of tribal ownership. About one-third of the Creeks, counting the Negroes, were followers of Harjo. Between his group actively opposing allotments and the mixed-bloods who supported it was

a large group who were either half-willing to take allotments or could easily be coerced.

Thus, on one side were ranged the more progressive and better educated mixed-bloods, the eager land agents and promoters, the ego-centric type of community boosters, and the great federal government. On the other side and opposing this group stood Crazy Snake and his little band of about 5,000 followers. They were ignorant, poor, and only half realized the vast forces arrayed against them. They knew nothing but that they desired to be left alone to live as they saw fit on the land which the Great White Father at Washington had promised to them and their children as long as grass shall grow and water flow.

Harjo is known to many as a stubborn old Snake with more "courage to defy the powerful makers of his fate" than intellect and reasoning power. But there is every reason to believe that he possessed great native intelligence. The most serious charge against him is that he was a cross-grained malcontent, standing stubbornly in the way of progress. Apart from the malcontent side of it (though he had great reason to be so), the question as to whether or not he stood in the way of progress is a delicate one. Most certainly he was a hindrance to our Western civilization, but it is not so certain that he was a hindrance to real progress. It is difficult to believe that behind that broad forehead there was not a thing more than mulish obstinacy, that behind that piercing eye there was not a keen intelligence that had thrust through into the heart of the question. I will expound what I believe to have been Harjo's guiding star and principles of action in opposing our Western civilization.

The progress of civilization, as Harjo saw it, meant that treaties would be made and kept only as long as was profitable, and broken when expedient. In no instance, he saw, were the solemn promises sworn on the honor of the United States allowed to stand for long in the way of "progress." To him the white man's civilization was superior to the Indians only in that the young braves multiplied like flies and were given great power to break the promises of their fathers and take the land of the Indian. He could not know that true civilization does not entail the looting of lands and property from uncivilized people. He did not know, as he

said before the Senate Committee at Tulsa, that the white man had come to the Indian saying he knew the road that leads to light, and that he was willing to show the Indian this road that the red man might know the blessing of civilization and gain the light. Harjo also knew that the white man himself had not found the light, for his civilization was one of sordid greed.

Over against this, the progress of civilization, stood the simple tribal life he was fighting for. For him the block of allotment plans meant surcease from the continual inroads of the white man. It meant that the Indian would be left in peace to raise his little patches of corn and beans, to hunt and fish, and to keep alive the old customs and traditions. He knew that to place each Indian on a quarter-section as an independent farmer would be to place him on the same economic basis with the white man, who with generations of sustained effort behind him and with his greater skill in tilling the soil, could easily outstrip the Indian in production. Thus the Indian would lose first his government and tribal citizenship, then his lands, and finally his very identity as the conquering race swallowed him up. So on these principles and for these reasons did Chitto Harjo oppose the allocation of Creek lands.

Following close on the work of the Dawes Commission came the Curtis Act. This act, passed in 1898, abolished tribal laws and courts, thus fulfilling the fears of Crazy Snake. Matters came quickly to a head. In 1900 the Creek nation agreed to allot its lands, thereby consenting to the Curtis Act. Crazy Snake realized that immediate action must be taken if the identity of the Creek nation was to be preserved.

His following among the full-bloods had held together with remarkable tenacity against all the forces working to destroy their unity. With implicit confidence in their leader, they supported his attempt to establish them on a separate political status. In 1901 they proclaimed him their hereditary chief. Harjo at once called a national council of the House of Kings and the House of Warriors at Hickory Ground, six miles from Henryetta. The council proclaimed the reestablishment of the ancient laws and courts acknowledged by the United States in the treaty of 1825. In so doing they challenged the authority of the United States to dissolve the government of another nation, and appealed to the sanctity of treaties.

It has been said that the move was ill-advised. Perhaps it was, but only in that it was unwise for the Indian to hope that the United States would be bound by a treaty which it would break at pleasure. If their attempt to preserve their identity as a nation was ill-advised, then so are all such attempts. It was a desperate effort, but the situation was desperate.

Crazy Snake proclaimed Hickory Ground the capitol of Creek nation instead of Okmulgee. Laws were passed forbidding Creek Indians to employ white labor or to rent lands to whites. A body of light horsemen was organized to enforce the laws. A detachment of them rode into Eufaula and posted a warning to the effect that any Indian renting lands to whites would be fined \$100 and given 50 lashes on the back and that all improvements on Indian lands made by whites were to be confiscated.

Wild rumors began to be circulated concerning the activities of the Snake Indians. One was that six hundred Creeks were about to descend on Bristow. It was reported that members of the Snake faction were roving over the whole nation threatening and whipping those who accepted allotments. There is no doubt that there is some truth in this last, but it has been stated by Creek Indians (Mr. Sam Haines and Mr. Johnson Tiger) now living, there was no widespread violence and that Crazy Snake was not overbearing.

The extent of Crazy Snake's measures to expel the white man were no more threatening than those experienced by Mr. George Riley Hall of Henryetta.

Mr. Hall and his brother had rented a farm from a Creek Indian near the Hickory Grounds. They had made considerable outlay on it in time, labor, and money. One evening a Snake Indian named Chowela, accompanied by a light horseman and an interpreter, came to the farm and told Mr. Hall he would have to leave at once. Hall attempted to parley, saying he would lose heavily if he abandoned the farm. Chowela replied they would have to leave regardless, and at once. Then Mr. Hall said he was a citizen of the United States, and would leave only when he was ordered to do so by the federal court at Muskogee. Chowela angrily replied that if he thought he could remain in defiance of the Snake Indian government, he could try.

The next morning Mr. Hall rode to Henryetta on a pony and on the way he heard that the United States troops had arrived. He hurried on, and to his great relief found that the report was true and the danger was past.

Wild newspaper rumors about hundreds of Snake Indians on the warpath with such foundation as the incident just related, had induced the government to send in the troops. No armed resistance was found, but Crazy Snake and a few followers were arrested, tried, and convicted. All were liberated, however. Thus ended the first Snake "uprising."

But the determination of the full-bloods to reestablish their tribal government had not been broken. They refused to accept the allotments assigned to them, and continued to meet at Hickory Ground. At these meetings Crazy Snake addressed them at length, reviewing the wrongs they had suffered and informing them of the actions and policies of the federal government.

In 1906 a special Senate Investigating Committee came to examine conditions. Harjo spoke before the committee at Tulsa. He reviewed the Indians relations with the white man from the time of Columbus to the present. He declared that the only trouble the Indian had had with the whites was about land and that it was still the issue at stake. He ended with a plea that the ancient promises and treaties be kept.¹

In 1907 Oklahoma was made a state, thus completing the assimilation of Indian territory into the folds of civilization.

Meanwhile, Crazy Snake's followers had erected a shanty and dug-out village at Hickory Ground. Numerous Negroes of part Indian blood had been admitted, and in 1908 all who applied were accepted. Soon the Negroes outnumbered the full-bloods; so the latter retired to their hill homes. The Negroes and mixed bloods committed many small depredations, often raiding smoke-houses, whence the name "Smoked Meat Rebellion." Crazy Snake was not responsible for these depredations, for they were committed by Negroes who were not members of the true Snake faction. Rumors of another uprising floated about; the newspapers did much to foment fear. The white people demanded military protection.

¹For the plea of Crazy Snake—See *Chronicles*, Vol. 11, 1933, pp. 899 to 911.

Dana Helsey, an Indian agent, and George J. Wright, also connected with the Indian service, were sent by the federal government to investigate. They reported that the situation was not serious.

Officers went to Hickory Ground to arrest Negroes for thefts. A fight occurred in which several were killed on both sides. Instantly the newspapers were aflame with news of the Snake Indian uprising. Panic spread all over the state; the people clamored for militia to defend their homes. Newspapers all over the world proclaimed that hundreds of fully armed Indians were on the war-path.

On receiving orders from Governor Haskell, Colonel Roy Hoffman called out five companies of militia, and martial law was declared in the Hickory Ground country. The militia found no armed resistance, nor any evidence of a Snake uprising, for the full-bloods were in their hill country homes.

Meanwhile, Sheriff Odom had secured a warrant for the arrest of Crazy Snake, whom he considered to be the cause of the trouble. The old Snake at this time lived in McIntosh County at the base of Tiger Mountain. The sheriff and several deputies went there to arrest him. They fired at him without warning. Crazy Snake was shot in the hip, and Charles Coker, his lieutenant, was shot through the chest. Coker killed two of the deputies, and with his chief escaped.

With the aid of Daniel Bob, an old Choctaw friend of Crazy Snake's, the two of them traveled by secret routes to the Choctaw country.

Chitto Harjo lived with his friend, Daniel Bob, for the last few years of his life. He died, in distress from the gunshot wound, on April 11, 1911.

A YOUNG ARMY OFFICER'S EXPERIENCES IN INDIAN TERRITORY

By Caroline B. Sherman

Following the close of the Civil War, when the United States Army turned its attention toward the West, a young captain from Massachusetts, Henry E. Alvord,¹ who had served as a volunteer throughout the entire war and had then married a southern girl, Martha Swink, whom he had met during the campaigns in Virginia, was sent to Indian Territory to serve chiefly on staff duty with Generals Hancock and Sheridan. He was even then only 24 years old. His principal duty was the collection of facts about the territory and the Indians there, and for this duty, according to Major-General W. B. Hazen, he "evinced peculiar fitness" and his collection of facts "was always found to be accurate."

As it happened, just 24 years later, after two decades spent in the East, Henry E. Alvord was again in Oklahoma, this time in charge of the Oklahoma Agricultural and Mechanical College and Experiment Station. He turned from the science of war to the science of the land at an early age, through the medium of his detail as military instructor in 1869 at the Massachusetts Agricultural College. He was the first army officer detailed to an agricultural college for this service. He became professor of agriculture there and later was elected director of the newly established agricultural experiment station at Cornell University, but he declined this position to accept the presidency of the Maryland Agricultural College. He organized that college and established the experiment station. Later, he served other states in similar capacities and was active in securing federal legislation that endowed the agricultural colleges and experiment stations, and in the formation and leadership of national agricul-

¹Henry Elijah Alvord of Massachusetts became sergeant in the Rhode Island Cavalry on June 24, 1862; honorably mustered out the next October, but entered the Second Massachusetts Cavalry November 21, 1862. He became first lieutenant January 25, 1864, and Captain the eleventh of the next December. Honorably mustered out August 5, 1865, to become first lieutenant of the Tenth Cavalry July 28, 1866. Served as regimental adjutant from June 1, to July 31, 1867. Was made captain July 21, 1867, and assigned to the Ninth Infantry July 1, 1871. He resigned from the service next December. He died October 4, 1904.

tural associations. He devoted his last ten years to the United States Department of Agriculture. He was acquainted with rural Europe, held honors in several foreign agricultural societies, and aided in organizing the International Institute of Agriculture.

But it is with his early impressions of Indian Territory that we are chiefly interested. During his army service there, Alvord's expeditions took him over much of the area and he was usually busy at night when at Forts Gibson, Riley, Arbuckle, and Cobb, preparing reports, descriptive journals, and maps of the country he covered.

His letters written at this time are enthusiastic over much of the terrain; over the interest he felt in the Indians, from the "savage, treacherous, ever troublesome Comanche to the educated, cultivated, gentlemanly Cherokee"; over the splendid animals among the wild horses often chased in the vain hope of capture;—and over newly-married life as lived in the tents and cabins of a frontier army.

Writing in July, 1868, from Fort Gibson to his aunt in the East who had taken care of him during his motherless childhood, he says:

"During the six weeks I was absent I rode my white horse, Hancock, about eight hundred miles and he came back very little the worse for it. I saw all kinds of country—mountainous like the Wichitas region, with high rocky peaks towering 1500 ft.² above the surrounding plain, extensive oaklands and endless prairie. Of the latter we had most of the rolling kind tho' a touch of 'the plains' proper when near the North Fork of Red River. We crossed every description of streams too: the wide brackish, red, swift running Washita on its rocky bed, the North Red River well named for color and salt as brine, the bitter Gypsom Creek, and many a beautiful pure rivulet rushing from crystal springs over the massive rocks of mountain sides, coursing thro' deep, rocky, and deathlike canons, rippling over pretty pebbly bottoms, or gliding along in silvery sandy beds. We found springs innumerable—boiling up in the midst of a bound-

²The lieutenant was somewhat mistaken as to the elevation of these peaks, as they were not so high by several hundred feet.

less prairie of hot parched earth—and running off in a cool, strong stream, marked for many a mile by its verdant banks, or gushing from crevices in rocks shaded by bushes, vines, and moss, or slowly but steadily flowing in a cold clear stream from an opening formed in the roots of a gigantic elm. And as great as was the variety in the forms and surroundings of the springs so greatly did the water of them differ in taste—some warm, some cold, many pure and sweet, but many also from iron and coal and salt.”

The buffalo of Indian Territory had a never-ending fascination for this eastern boy, whether singly and as victims as at Fort Cobb where the buffalo ran through the camp within 300 yards of the young couple’s tent and where “the soldiers drove the huge creatures into camp to the place best suited for dressing them and there shot them” or more especially when wild and free— “. . . from the top of a hill on the North Red River I saw at one time upon the surrounding plains within the circle of the horizon at least one hundred thousand buffalo.”

Naturally the Indians occupied his attention chiefly. At Fort Cobb he aided in carrying out the provisions of the General Order calling for the two Indian Reservations, and in connection with moving the Indians from Kansas, and in separating the peaceful from the hostile tribes in 1868 he took an active part from that station. To determine which tribes could be really trusted, which were neutral, and which were hostile was no easy matter, even for much older men with wider experience.

“The war which broke out in Kansas in September was the chief reason for Gen’l Hazen’s delay. The Cheyennes and Arapahoes all joined in the hostilities, and it was there unknown how many had done so. My duty was to first ascertain by sending to all the ‘wild’ Indians within reach of couriers from this point, and holding conferences with the chiefs, just whoever were really peaceable and friendly and who were hostile, reporting definitely; then to induce as many of the peaceable as possible to come to this vicinity and to take care of them here—feed them, etc. until the arrival of Gen’l Hazen. This was new work for me—a delicate and difficult matter.

"I at once gave the subject my whole attention and have done nothing else since. During the remaining days of October I gathered around me here about fifty of the chiefs and head men of the Comanches, Caddos, Wichitaws, Wacos, and Keechies—representing three thousand Indians, and with them I had an official 'big talk', a council, on the 31st ult. in which I personated the 'big Captain', son of the 'Great Father at Washington.' It was a novel experience to me, and fortunately resulted quite satisfactorily. Every tribe and band represented agreed to come to some point near here and remain peaceable—and have done so. I have since been feeding the 3000—issuing to them flour, coffee, and sugar, some fresh beef and some salt. Every available means has been taxed to get the necessary supplies and I have been obliged to some extent to purchase in open market—at Sherman, Texas, thru an agent. Since the 1st inst. I have met the representatives of 2000 Kiowas and Apaches, who are now moving toward this place, and am daily expecting representative delegations from the two most distant and most powerful bands of Comanches—numbering 3000. There will probably be 8000 'wild' Indians in this vicinity before December . . .

"Martha is becoming quite an Indian trader, and if you could see her present stock on hand of buffalo robes, calf buffalo skins, buffalo tongues, etc you would be much amused. We are both making excellent progress in learning to speak Comanche—tho we give most attention to the pantomime language which is common to all western Indians. At first I do not think either of us relished having so many red skins in our immediate vicinity at night, while we were quite pleased to have numbers of them visit us during the day. Now we go quietly to sleep at least a quarter of a mile from the nearest sentry at the camp—undisturbed by the fact of there being two thousand wild Comanches close by."

But the more conventionally social side was not neglected in their life in the Territory. One of the first letters from this young couple after their arrival, dated at Fort Gibson in January, 1868, and written to the same elderly aunt, describes a military dinner given under those frontier conditions the day **before** they were able to find a woman servant.

The dinner letter speaks for itself:³

“Wednesday morning we concluded that as Col. Floyd Jones, our commander, was to go on leave the 20th, we would have a supper for the officers on Friday evening and that has occupied all our time since. We had intended giving an entertainment of some sort as soon as our establishment was completed but the weather having postponed that event beyond our expectations and our desire to have the Colonel present, decided us to wait no longer. Our first proposition was to fix up our unfinished kitchen as well as we could and set our table in there, putting up a curtain between it and the cooking stove. To that end, while I was up at the garrison Wednesday morning on business, Martha had the kitchen chimney temporarily raised above the roof by a barrel with both heads out, the cooking stove moved from tent to kitchen and the walls of the building inside all covered with two thickness of canvas—tent flies. She then began cooking—making that day chicken salad and pies. The Paymaster came Wednesday evening and attending to the payment of my company and my scouts kept me busy all day Thursday. It was the first payment of my company and on returning from the pay table \$6000 was brought into camp. Martha that day went up town alone and either bought or borrowed everything in the way of table furniture which we needed for the supper; in the evening apple toddy was made, a ham got nearly ready, our turkey cock sacrificed and other little things done.

“Friday morning I gave the last of my invitations to ten officers (besides Lt. Harmon) to take supper with me at 8 P. M. and then returned to the cabin to help get it in shape. I found Martha had concluded the kitchen would be too cold to eat in and so had moved our bed, washstand, trunks, etc. in there and begun to arrange for the table in the south end of our main building—our living room.

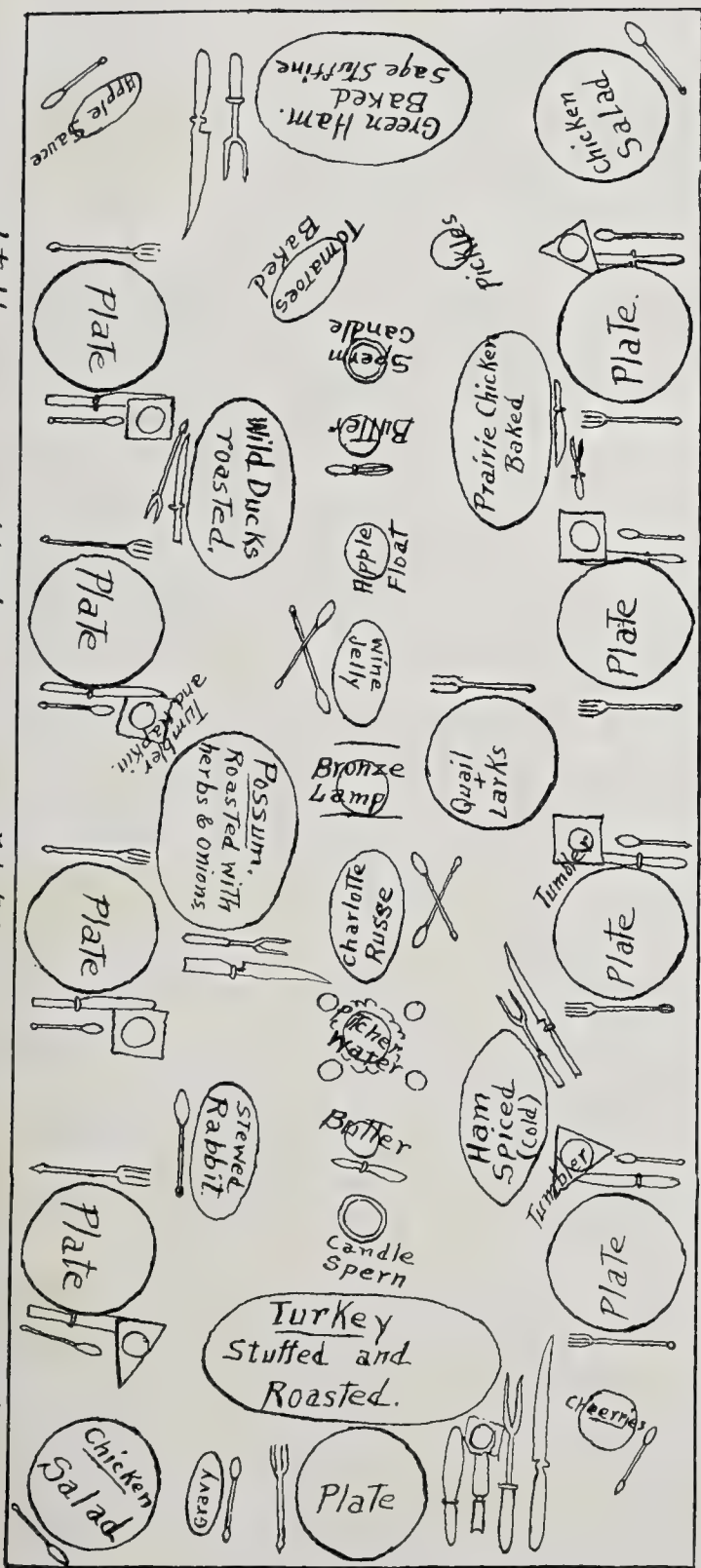
³As a result of this letter our editor wants to know more about Martha. She had ever a marked individuality which was generally said to leave its impress wherever she lived. Through constant change of scene she could always make an attractive home on short notice although between times she sought an opportunity to go back to Spring Hill in Fairfax County, Virginia, the large farm which had been the home of her family for more than a century and which had been bought by her husband's family, and finally given by the young Captain back to Martha. They always considered Spring Hill as their permanent home and here she spent all the later years of her widowed life.

Pies and Coffee were Sent in after The Meats

(Scale:- $\frac{3}{4}$ th inch to the foot.)

Stand With Bowl of Apple-Toddy.

Col. Floyd-Jones. Lt. Baker. Lt. Cook. Dr. Crary.



Capt. Alvord

Lt. Harmon.

Lt. Wetherill.

Adj. T. Munson.

Capt. Kimball.

“I had on Wednesday engaged several professional hunters (citizens) to get all the game they could for me and report with it Friday morning—three prairie chickens, the commonest of all game here, was the result of their united efforts. I felt rather disgusted at so slim an allowance of game but gave my gun with ammunition to a Corporal of my company and started him out at nine o'clock to get what he could, and then myself set about decorating our room. A National Flag was festooned at the south end of the building covering the window and a plenty of small cedar boughs arranged with it; the whole inside of the roof was then prettily trimmed by being half covered with evergreen boughs stuck in between the shingles. Our pictures were hung up and made the wall look well. The table was then made ten feet long and four wide, and set across the south end of the room, filling it exactly, that is, leaving only room to pass around it, for seats etc. Both doors to the room remained unobstructed and plenty of room was left around the fireplace at the North end of the room. A nice black walnut mantle which we had put up over our fireplace Wednesday much improved the looks of the premises. Over it was the mirror and upon it vases of grasses, mistletoe, Christmas berries, etc. with various other pretty things. A very handsome linen damask cloth— $3\frac{1}{2}$ yds. long and 2 yards wide—purchased for the occasion covered the table and it was very nicely set at four o'clock P. M. Martha was all the while hard at work cooking, with but one assistant, a man. I was made more hopeful by my Corporal bringing it at noon four rabbits, some quail and meadow larks, and in the afternoon after a second short hunt, a pair of wild ducks and more small birds. Then during the afternoon, by great good luck, my horse man, Lewis, caught a 'possum—very fat.

“Finally, therefore, I had everything on my table that I had wished for except a roast saddle of venison, which I could not find. At seven o'clock I dressed and at half past sent a man with a saddled horse to every invited guest. Three sent their regrets—Capt. and Brevet Major Bryant, 6th Infantry, who will be in command after Col. Floyd-Jones⁴ leaves, was

⁴De Lancey Floyd-Jones was appointed to the United States Military Academy at West Point from New York, where he attended from July 1, 1841, to July 1, 1846, when he was graduated, and promoted in the army to brevet second lieu-

sick—so was Dr. Hubbard the Post Surgeon—and one Lieutenant of the infantry had to remain at the garrison as Officer of the Day. My guests arrived about eight o'clock and I received them in Lt. Harmon's (tent) quarters, next door to us.

"They were seven in number:—Colonel De L. Floyd Jones, 6th U. S. Infantry, Comdg. this Post and the Territory; Capt. A. S. Kimball,⁵ Asst. Qt. Mr., U. S. A.—Post Quartermaster and Chief Q. M. of the Territory, Lieut. Baker,⁶ 6th Infantry, Comisary of the Post; Lieut. Munson,⁷ Adjt., 6th Inftr. and Post Adjutants, Lieuts Cook and Wetherell⁸ of the 6th Inftr. and Dr.

tenant of the Seventh Infantry. He served in the War with Mexico from 1846 to 1848, and took part in a number of important engagements. He became second lieutenant of the Fourth Infantry November 27, 1846, and first lieutenant January 1, 1848, having been in the meantime brevetted first lieutenant for gallant and meritorious conduct. He was promoted captain July 31, 1854, and served at a number of army posts in California and other posts of the West. He was promoted to major of the Eleventh Infantry May 14, 1861; lieutenant-colonel July 4, 1862, and served in the Union Army during the Civil War. On July 2, 1863, he was brevetted colonel for gallant and meritorious service at the battle of Gettysburg. On August 1, 1863, he was made lieutenant-colonel of the Nineteenth Infantry, and after the Civil War was in command of posts in Kentucky, at Little Rock, Arkansas, and in Fort Smith and Fort Gibson. He died January 19, 1902.

⁵Amos Samuel Kimball was born in New York, and on November 27, 1861, became first lieutenant in the Ninety-eighth N. Y. Infantry, where he served until May of 1864, when he became captain and acting quartermaster of volunteers from April 7, 1864, to December 6, 1866. He served as captain and acting quartermaster in the U. S. Army from November 19, 1866, and was later promoted to major, lieutenant-colonel, and colonel. On October 2, 1902, he was retired as brigadier-general. He was brevetted major of volunteers February 1, 1866, for faithful and meritorious service in the quartermaster's department.

⁶Stephen Baker of Michigan entered the Union Army as a private; served as corporal, sergeant, sergeant-major and quartermaster-sergeant of the Sixth Infantry from August 20, 1860, to May 12, 1865. He became first lieutenant May 3, 1865, and served as regimental quartermaster from March 1, 1867, to September 1, 1868; captain June 8, 1874; major of the Fourth Infantry July 7, 1897. He was retired from the army January 11, 1899.

⁷Jacob Frederick Munson of New York entered the Union Army as a private and served as corporal, sergeant of C Company of the Eighty-third Infantry from September 13, 1861, to October 21, 1863. As second lieutenant he was honorably mustered out June 23, 1864. On December 31 of that year, he re-enlisted as second lieutenant of the Eighth U. S. Veteran Volunteers. For gallant and meritorious service he was brevetted lieutenant and captain of volunteers March 31, 1865. Honorably mustered out February 15, 1866, he re-enlisted as second lieutenant of the Sixth Infantry May 11, 1866; he became first lieutenant October 31, 1866, and served as regimental adjutant from April 1, 1867, to April 22, 1869, and from May 29, 1869, to January 31, 1875. He was promoted to captain December 15, 1880, and was retired November 19, 1896.

⁸Alexander McComb Wetherill of Pennsylvania was commissioned second lieutenant of the Sixth Infantry May 9, 1867. First lieutenant April 28, 1875. He served as regimental quartermaster from March 1, 1887, to January 3, 1890, when he was made captain. He was killed July 1, 1898, at the Battle of San

Crary, brother-in-law of Qr. Mr. Kimball and Surgeon to the government employees at this post. Lt. Harmon made eight—giving four to each side of the table. (The guests were brought in and seated at half past eight.) I sat at the head and carved the principal dish—Roast turkey with gravy and preserved cherries—an excellent substitute for cranberries. We had besides—all hot:—Green ham, stuffed and baked, apple sauce; 'Possum, roasted with herbs and onions; Prairie chickens, stuffed and baked, Wild Duck, roasted; Quail and larks, larded, Stewed Rabbit, cream gravy; then cold:—Spiced Ham, Chicken Salad. Tomatoes baked with crumbs, pickles, hot biscuit, and butter put up last June. Plenty of Apple Toddy with these. Then followed:—Mince pie and Jelly Pie or Pudding, Charlotte Russe, Wine Jelly, Apple Float and Coffee.

“Martha did all the cooking herself and I am still wondering how it was done on our little stove and have everything so hot. Each article was as nice as it could possibly be. She remained in the kitchen until we were fairly at supper, then dressed and came into the supper room just as we left the table—about ten o'clock; the officers left before twelve and I sent each on horseback with an orderly.

They were evidently really astonished at the variety to which they sat down—enjoyed the supper thoroughly and praised it and its prepar~~ess~~ in the highest terms. It certainly was an elegant supper and a decided success in every way. It has been the topic of conversation at the garrison yesterday and today and the officers unite in pronouncing it the handsomest table they have ever seen west of the Mississippi.”

Juan, Santiago, Cuba. Two months later Alexander McComb Wetherell of Dakota was appointed from Rhode Island, second lieutenant in the Sixth Infantry. One may venture to suppose that this was the son who entered the army after his father's death, to perpetuate the name in the Sixth Infantry.

THE BATTLE OF HONEY SPRINGS

Charles R. Freeman

The Battle of Honey Springs, sometimes called the Battle of Elk Creek, was fought between the Confederate and Federal forces on July 17, 1863. This battle ground is located in McIntosh County about four and one-half miles northeast of Checotah and about fifteen miles south of Muskogee, in what was then the Creek Nation.

In the early part of the War between the States, Albert Pike was commissioned by the Southern Confederacy to effect treaties of alliance with the several Indian tribes of the Indian Territory. John Ross, Chief of the Cherokees, was opposed to any such treaty. He was, in fact, a Unionist at heart, though he urged a neutral position. The Ridge party among the Cherokees, the chief man of whom was, at that time, Stand Watie, favored the Confederacy and consistently urged the signing of the treaty with the Confederate Commission. In the Creek Nation, Pike found it less difficult to secure this treaty. He had the benefit of the influence of the powerful McIntosh family. The treaty with the Creeks was signed July 10, 1861, at North Fork Town on the Canadian, near Eufaula, though Apothleyahola made a fiery speech against the signing of it. Chief John Jumper of the Seminoles, and Tandy Walker, a prominent Choctaw, were Southern sympathizers and soon brought their people in agreement. Treaties of alliance were thus effected between the Confederacy and the Five Civilized Tribes in the latter part of 1861. But sentiment for the Northern side, or for the Federal Government, was not lacking among the Indians. Apothleyahola had led about three thousand men, women and children into Kansas during November and December 1861, and many Union sympathizers among the Indians had joined up with the Federals, forming the First, Second and Third Home Guards.

So at the Battle of Honey Springs, Indian met Indian. Maj. Gen. James A. Blunt, in command of the Federal forces at this battle had about three thousand men under him, commanded by the following officers:

Col. Stephen H. Wattles, First Indian Home Guard;
Lieut. Col. Frederick W. Schaurte, Second Indian Home Guard;

Lieut. Col. John Bowles, First Kansas Colored Infantry, Judson's Brigade;

Capt. Edw. A. Smith, Second Kansas Battery;

Capt. Henry Hopkins, Hopkins Kansas Battery;

Capt. Edward R. Stevens, Third Wisconsin Cavalry;

Maj. J. Nelson Smith, Second Colorado Infantry, Phillips' Brigade.

On the other hand, the Confederates led by Brig. Gen. Douglas H. Cooper, had under him in this battle about four regiments of Indians and certain Texas Troops. His force probably did not exceed three thousand, and were commanded by the following officers:

Gen. Douglas H. Cooper, in command, with First and Second Choctaw Regiments and Texas Troops.

Col. Tandy Walker, First Cherokee and Choctaw Regiment;

Capt. L. E. Gillett, Squadron Texas Cavalry;

Col. Stand Watie, Cherokee Regiment;

Col. D. N. McIntosh, First Creek Regiment, Mtd. Vols., with ten Companies.¹

Chilly McIntosh, Second Creek Regiment, Mtd. Vols., with eleven companies.²

¹Col. D. N. McIntosh, Commanding;

Lt. Col. Wm. R. McIntosh;

Maj. Jas. McHenry;

Adj. Wm. Percival;

A. G. M. Jno. Barnwell;

A. C. S. I. A. Clark;

Surgeon O. Alexander

Capt. Yakenah Fixico, Company A;

" F. B. Severs, Company B;

" Cully Micco, Company C;

" Yahardy, Company D;

" Hulputta Micco, Company E;

" Sam Miller, Company F;

" Wm. Jacobs, Company G;

" Washington Kennard, Company H;

" Young Hardage, Company I;

" L. J. Callahan, Company K;

²Col. Chilly McIntosh, commanding

Major Timothy Barnett

Adj. Geo. W. Grayson

Q. Master F. M. Sanger

Surgeon Lee M. Alexander

Gen. Cooper had established his headquarters at Honey Springs some days before the Battle. This spring was one mile south of the ford on Elk Creek, on the road leading from Fort Gibson to Texas. Elk Creek was heavily timbered on both sides. On the 14th he had expected an attack from Gen. Blunt, and issued General Order No. 25, giving the location and position his troops would occupy along Elk Creek. General Blunt learned that Cabell, who was located in Northwest Arkansas with a force of about 4,000 men, was expected to join General Cooper at Honey Springs July the 17th. He began to push forward at once in an effort to dispose of Cooper before Cabel could reach Honey Springs. Cabell was one day late and did not reach the battle ground until the 18th. General Blunt effected a crossing of the Arkansas River with his force on the late afternoon of the 16th and by marching all night coming in view of the Confederates encamped on Elk Creek in the early morning of the 17th. Cooper's pickets, stationed some miles north of Elk Creek, saw Blunt's columns pushing rapidly forward; his long line of cannon glistening in the early morning sunlight. They immediately rushed back to notify General Cooper of their approach. On arriving Blunt immediately forced the engagement. The cannonading commenced and the battle on the north of the Creek was furious for a few hours, finally driving Cooper's men back across Elk Creek. The Federals crossed to the south side where they encountered Cooper's main army. The battle continued at this point until about two o'clock in the afternoon when Cooper effected a retreat in the direction of Briartown and Fort Smith. Abel, in her excellent work, says:

"The odds were all against Cooper from the start and, in ways that Steel has not specified, the material equipment proved itself inadequate indeed. Much of the ammunition was worthless. Nevertheless, Cooper stubbornly contested every inch of the ground and finally gave way only when large numbers of his Indians, knowing their guns to be absolutely useless to them, became disheartened and then demoralized. In confusion they led the van in flight across the Canadian."²

The number of Federals killed and wounded was seventy-five. The number of the Confederates killed and wounded, as reported by General Cooper, was 134 and forty-seven taken prisoners.

²Annie H. Abel. *The American Indian as Participant in the Civil War.*

General Blunt's report of this engagement made to Major General Schofield, July 26, 1863, reads in part, as follows:³

"General:

"I have the honor to report that, on my arrival here on the 11th instant, I found the Arkansas River swollen, and at once commenced the construction of boats to cross my troops.

"The rebels, under General Cooper (6,000), were posted on Elk Creek, 25 miles South of the Arkansas, on the Texas road, with strong outposts guarding every crossing of the river from behind rifle-pits. General Cabell, with 3,000 men, was expected to join him on the 17th, when they proposed attacking this place. I could not muster 3,000 effective men for a fight, but determined, if I could effect a crossing, to give them battle on the other side of the river.

"At midnight of the 15th, I took 250 cavalry and four pieces of light artillery, and marched up the Arkansas about 13 miles, drove their pickets from the opposite bank, and forded the river, taking the ammunition chests over in a flat-boat. I then passed down on the South side, expecting to get in the rear of their pickets at the mouth of Grand River, opposite this post, and capture them, but they had learned of my approach and had fled. I immediately commenced crossing my forces at the mouth of Grand River in boats, and, by 10 p. m. of the 16th, commenced moving south, with less than 3,000 men, mostly Indians and negroes, and twelve pieces of artillery. At day-light I came upon the enemy's advance about 5 miles from Elk Creek, and with my cavalry drove them in rapidly upon their main force, which was formed on the South side of the timber of Elk Creek, their line extending 1½ miles, the main road running through their center.

"While the column was closing up, I went forward with a small party to examine the enemy's position, and discovered that they were concealed under cover of the brush awaiting my attack. I could not discover the location of their artillery, as it was masked in the brush. While engaged in this reconnaissance, one of my escort was shot.

"As my men came up wearied and exhausted, I ordered them halted behind a little ridge, about one-half mile from the enemy's line, to rest and eat a lunch from their haversacks. After two

³Rebellion Records Part I, 447.

hours' rest, and at about 10 a. m., I formed them in two columns, one on the right of the road, under Colonel (William R.) Judson, the other on the left, under Colonel (William A.) Phillips. The infantry was in column by companies, the cavalry by platoons and artillery by sections, and all closed in mass so as to deceive the enemy in regard to the strength of my force. In this order I moved up rapidly to within one-fourth of a mile of their line, when both columns were suddenly deployed to the right and left, and in less than five minutes my whole force was in line of battle, covering the enemy's entire front. Without halting, I moved them forward in line of battle, throwing out skirmishers in advance, and soon drew their fire, which, revealed the location of their artillery. The cavalry, which was on the two flanks, was dismounted, and fought on foot with their carbines. In a few moments the entire force was engaged. My men steadily advanced into the edge of the timber, and the fighting was unrelenting and terrific for two hours when the center of the rebel lines, where they had massed their heaviest force, became broken, and they commenced a retreat. In their rout I pushed them vigorously, they making several determined stands, especially at the bridge over Elk Creek, but were each time repulsed. In their retreat they set fire to their commissary buildings which were 2 miles South of where the battle commenced, destroying all their supplies. I pursued them about 3 miles to the prairie south of Elk Creek, where my artillery horses could draw the guns no farther, and the cavalry horses and infantry were completely exhausted from fatigue. The enemy's cavalry still hovered in my front, and about 4 p. m. General Cabell came in sight with 3,000 re-enforcements. My ammunition was nearly exhausted, yet I determined to bivouac on the field, and risk a battle in the morning if they desired it, but the morning revealed the fact that during the night they had retreated South of the Canadian River.

"The enemy's loss was as follows: Killed upon the field and buried by my men, 150; wounded, 400; and 77 prisoners taken, 1 piece of artillery, 1 stand of colors, 200 stand of arms, and 15 wagons, which I burned. My loss is 17 killed, 60 wounded, most of them slightly.

* * * *

Very Respectfully, your obedient servant,
JAMES G. BLUNT, Major-General.

“P. S.—I have designated this engagement as the ‘Battle of Honey Springs,’ that being the headquarters of General Cooper, on Elk Creek, in the immediate vicinity of the battle-field.”

The report of the Battle by Lieut. Colonel John Bowles, First Kansas Colored Infantry, made to Col. Judson, on July 20, 1863, reads in part:⁴

“Colonel: I have the honor to submit the following report of the First Regiment Kansas Colored Volunteers at the battle of Honey Springs, July 17, 1863:

“Previous to forming a line of battle, Colonel (James M.) Williams was informed that his regiment would occupy the right and support Captain Smith’s battery. Colonel Williams then called ‘attention,’ and said to the men, ‘I want you all to keep cool, and not fire until you receive the command; In all cases aim deliberately and below, the waist.’” *** After a lapse of ten minutes, during which time the fire from the battery was incessant, General Blunt came in person to Colonel Williams, and said, ‘I wish you to keep an eye on those guns of the enemy, and take them at the point of the bayonet, if an opportunity offers.’ Colonel Williams then made some remarks to the men, intimating that we had work to do, and ordered them to ‘fix bayonets.’ We then moved to the front and center, forming to the right of a section of Smith’s battery, consisting of two 12-pounder field pieces, that had already taken position within 300 yards of the enemy’s lines, which was only apparent by the smoke from the frequent firing of their battery, so completely were they concealed by the brush in their position. Quite a number of rounds of shell and canister had been fired from our guns, when our gallant colonel gave the command ‘forward,’ and every man stepped promptly and firmly in his place, advancing in good order until within 40, paces of the concealed foe, when we halted on the right of the Second Colorado. Colonel Williams then gave the command, ‘Ready, aim, fire,’ and immediately there went forth two long lines of smoke and flame, the one from the enemy putting forth at the same instant, as if mistaking the command as intended for themselves, or as demonstration of their willingness to meet us promptly

⁴*Ibid.*, 449.

“At this juncture Colonel Williams fell, he and his horse at the same instant; Colonel Williams badly wounded in his right breast, face and hands. Being on the right, and partly shut out from view of the left by the thick brush, I was, therefore, ignorant of the fact that Colonel Williams had fallen. * * * * In the meantime the firing was incessant along the line, except on the extreme right, where some of our Indians had ridden in the brush between us and the enemy. I immediately ordered them to fall back, and to the right. The enemy, which has since proven to have been the Twenty-ninth Texas Regiment, commanded by Colonel De Morse in person, who was badly wounded in the right arm, supposed from the command, that we were giving way in front, and, like true soldiers, commenced to press, as they supposed, a retreating foe. They advanced to within 25 paces, when they were met by a volley of musketry that sent them back in great confusion and disorder. Their color-bearer fell, but the colors were immediately raised, and again promptly shot down. A second time they were raised, and again I caused a volley to be fired upon them, when they were left by the enemy as a trophy to our well-directed musketry.

“As soon as I learned of Colonel Williams having been severely wounded and having left the field, I assumed command, our right pressing the enemy back to a corn-field, where he broke and fled in confusion.”

The report of Lieut. Col. Frederick W. Schaurte, Second Indian Home Guards, made on July 20, 1863, read in part as follows: (pp. 451-52 inc., Series 1, pt. 1, Vol. 22, War of the Rebellion Official Records.)

“My command crossed the Arkansas River, below the mouth of Grand River, at 11 p. m. on the 16th instant. Three privates of Company F, Second Regiment Indian Brigade, were drowned while attempting to swim the river—Privates Huston Mayfield, Key Dougherty, and To-cah-le-ges-kie. We moved forward on the Texas road (course West of South), and arrived at camp to the North of and near Elk Creek timber, at 8:45 o'clock, July 17, 1863. About an hour afterwards I received orders to get my command in readiness, and take position in close column of companies in rear of the First Kansas Colored Regiment. *** About 10:20 a. m. Blair's battery, consisting of four pieces, commanded

by Capt. E. A. Smith, commenced firing. Soon afterwards the section changed from the right to the left of the brigade, supported by the First Kansas Colored Regiment. As soon as the artillery ceased firing I was ordered to deploy my command as skirmishers and enter the timber. My command continued to act as skirmishers during the entire engagement, which lasted about four hours.”

Lieut. Col. William T. Campbell, in command of the Sixth Kansas Cavalry, reports to his commanding officer as follows:*

“Sir: I have the honor to report the part taken by my command, ***** in action on the 17th instant, at Honey Springs, Creek Nation.

“My command left camp at 4 o’clock on the morning of the 16th instant, with a section of Second Kansas Battery, crossing the Verdigris and Arkansas Rivers without loss. About daybreak the advance came up with the enemy in considerable force, posted on a rise of ground, and near the timber. The captain immediately formed his men and opened a brisk fire on the enemy but was compelled by superior numbers to fall back. I brought the rest of my command forward at a gallop to the support of the advance, and, after a sharp skirmish, drove the enemy from his position, with a loss of 1 killed and 3 wounded. ***** I then advanced and came up with the enemy, posted in force under cover of timber at Elk Creek. Here I came to a halt, and sent a company forward to reconnoiter; found the enemy strongly posted in the woods, their line extending on the right and left to the road. I kept up a brisk fire on them; they, however, kept under cover. Private White was here shot through the shoulder. At 7 o’clock I was transferred from the command of Colonel Judson to that of Colonel Phillips (Colonel Judson retaining the section of howitzers), and assigned to the extreme left of our line of battle. Shortly after the general engagement commenced, I discovered the enemy endeavoring to flank us, under cover of timber. I immediately dismounted Companies C, F, and H, and sent them into the woods as skirmishers, and after sharp work of about an

**War of the Rebellion, Official Record, Series 1, Part I, Vol XXII, p. 452.*

hour and a half succeeded in driving the enemy back, and turning his right flank,*****. I immediately recalled my men, and, after obtaining a supply of ammunition, mounted and started in pursuit. Shortly after crossing the creek I charged into a large body of rebels, whom I took to be Stand Watie's Indians and Texans. They retreated to the woods where they made a stand."

Colonel Stephen A. Wattles, First Indian Home Guards, reports to Col. William A. Phillips, as follows:"

"Colonel: On the morning of the 17th of July, 1863, we came upon the enemy at Elk Creek. My command was ordered to the left, in support of Hopkins' battery, and then ordered to charge the enemy out of the timber. I advanced, under a destructive fire from the enemy, after hard fighting, gained a position in the timber, and finally drove them across the stream, on the left of the bridge, the enemy forming several times, and desperately contesting every foot of ground.

"Too much praise cannot be awarded to both officers and men for their gallant conduct in the battle."

General Cooper, making his report of the battle to General William Steele under date of August 12, 1863, says: (pp. 457 to 461, Inc., War of the Rebellion, Vol. 22, Ser. 1, Pt. 1, Official Reports)

"General: My official report of the affairs at Elk Creek, on the 17th ultimo, has been delayed in consequence of the movements of the troops under your command and the difficulty of getting correct reports from subordinate officers of the killed and wounded. ****

⁶*Ibid.*, 455. For reports of other Federal officers in charge of command, at this engagement, see Ser. 1, Vol 22, pp. 147 to 157.

The reports of the Confederate commanders do not appear in these official records, except that of Gen. Douglas H. Cooper, and Gen. William Steele, who was in command of the entire Confederate forces of Indian Territory at the time of this engagement. (pp. 28 to 36, inc., Vol. 22, Ser. 1, Part 1, War of the Rebellion Official Reports of the Union and Confederate Armies.)

These official Reports may be found in the Carnegie Library, Oklahoma City, and the Muskogee Public Library, Muskogee, and in the Library of the Tulsa University.

“On July 15, reports were sent to me from the officers in charge of the pickets on Arkansas River that it had become fordable above the mouth of the Verdigris; that Federal officers were seen examining the fords; ***** Believing there was a probability that the attack might be made upon me before General Cabell arrived, whose movements were known to the spies, ***** I directed their concentration on Coody’s Creek, with instructions to send vedettes to the different fords.

“Early on the 16th ultimo, information reached me that the Federals were crossing in force at the Creek Agency. Col. Tandy Walker, Commanding First Cherokee and Choctaw Regiment, and Captain (L. E.) Gillett, commanding squadron Texas cavalry, with their command, accompanied by Lieutenant (T. B.) Heiston, aide-de-camp and acting assistant Adjutant-general, were ordered out in the direction of the Chimney Mountain, where the roads to Creek Agency and to Gibson intersect, with order to send out small parties of observation on both roads and to withdraw the pickets from Coody’s Creek.

“About daylight on the morning of the 17th, the advance of the enemy came in sight of the position occupied by the Choctaws and Texans; commenced a brisk fire upon them, which was returned and followed by a charge, which drove the enemy back upon the main column. Lieutenant Heiston reported the morning cloudy and damp, many of the guns failing to fire in consequence of the very inferior quality of the powder, the cartridges becoming worthless even upon exposure to damp atmosphere. Soon after the Federals had been driven back, it commenced raining heavily, which rendered their arms wholly useless. These troops then fell back slowly and in good order to camp, for the purpose of obtaining a fresh supply of ammunition and preparing for the impending fight. *** Accordingly their advance halted until the main body came up and formed in line of battle, thus affording my aide opportunity to form an estimate of their strength. He reported their force to be probably 4,000, which I found nearly correct, though some 500 under the mark. After ascertaining that the enemy were advancing in force, orders were issued to the officers commanding corps to prepare for immediate action and take their positions, all which had been, in anticipation of an at-

tack, previously defined by General Orders, No. 25, to copy of which, marked A, herewith, reference is made.⁷

"Having made these arrangements, I rode forward to the position North of Elk Creek, where Captain Lee's light Howitzer battery had been posted, and found it supported by Colonel Bass' regiment (Twentieth Texas dismounted cavalry), by a portion of the Second Cherokee Regiment, and a body of skirmishers on the right, under command of Capt. Hugh Tinnin, of the First Cher-

⁷ (INCLOSURE A.) (pp. 461-462, Official Records)

"GENERAL ORDERS,
No. 25.

Hdqrs. First Brig., Indian Troops,
Elk Creek, July 14, 1863.

"I. The First and Second Cherokee Regiments will constitute the right wing of the brigade, Col. Stand Waitie, senior colonel, commanding.

"II. The left wing will be composed of First and Second Creek Regiments, Col. D. N. McIntosh commanding.

"III. The center will consist of Twentieth Texas dismounted cavalry, Twenty-ninth Texas Cavalry, Fifth Texas Partisan Rangers, and Lee's light battery, Col. Thomas C. Bass, senior colonel, commanding.

"Scanland's squadron, (L. E.) Gillett's squadron, and First Choctaw and Chickasaw Regiment, Col. Tandy Walker commanding, will be attached to headquarters and constitute the reserve, to which such other troops belonging to this brigade as may report will be added until further orders. Captain (John) Scanland will fall back to a position which will be assigned him near headquarters, Honey Springs.

"The right wing will encamp convenient to the two lower crossings on Elk Creek; the center near or at such places as may be convenient to the middle ford, and the left wing at or near the upper ford; the reserve near headquarters, Honey Springs Depot. Commandants of each wing will see that necessary ways are opened along the front and near Elk Creek to enable the troops to move with facility from point to point, and also that proper roads from the camps perpendicular to the way along the bank of the creek are opened. Each regiment will occupy a front at least equal to the number of files, minus one-fifth. For example: If the total of a regiment be 1,000 men, or 500 files, the front will be 400 yards. The proper intervals between squadrons and regiments will be observed, and kept free from obstruction, to allow the passage of the troops. These intervals may be increased where the ground is obstructed, and in timbered places the line may be extended. In case of attack there should be an advance party thrown out to and along the skirt of the prairie in front (north side of the creek), with adequate supports formed near the creek. The enemy must, if possible, be prevented from gaining the cover of the timber on the north side. Commandants will examine the ground in front of them, and especially creeks, bayous, or wooded ways leading from the prairie north and west of camp down Southward and connecting with the main bottom of Elk Creek. These smaller creeks will be used in case of attack by the enemy to penetrate to Elk Creek, and thus flank the different positions near the fords. These can be used by our troops to advantage in gaining a position in advance of the general line of the prairie to flank the columns of the enemy while advancing on the roads leading to the fords. It is necessary that commanding officers should examine and understand the ground in front of their own positions, and also those occupied by other corps.

"By order of Brig. Gen. D. H. Cooper."

okee Regiment, the remainder of the Cherokee regiments being near the Creek.

“A movement on my right was discovered, and Captain Tinnin reported that the skirmishers would soon be engaged. One-half of Colonel Bass’ regiment under Captain (J. R.) Johnson, was then ordered to the right to support Captain Tinnin, and I rode over to their position and found, by movements of officers, that there was a body of troops on my extreme right. A part of Second Cherokee Regiment, just returned from a scout to Prairie Springs, who were getting breakfast at camp, were then ordered up and conducted by myself to the right, and a messenger sent for half of the Choctaw regiment, which soon arrived and were placed also on the right along the edge of the prairie. Seeing a heavy force wheeling off to their right and taking the road up the creek to the second crossing above the bridge—our weakest point, and from the road continues up to the third crossing, where the Creeks were posted—I rode back to the main road, sent orders to the Creeks to move down and support Colonels (Charles) De Morse and (L. M.) Martin, who were directed to support Colonel Bass’ command and the battery, which was engaged with that of the enemy. Riding back near the creek, I discovered our men in small parties giving way. These increased until the retreat became general. Colonel Bass’ regiment and Captain Lee’s battery, after a most gallant defense of their positions, were compelled to fall back; Colonel De Morse’s regiment and Colonel Martin’s, on the left, also retiring, except a few who were cut off from the main body.

“Colonel Martin who retired in good order across the creek when the line along the prairie near the battery gave way was directed to hold the ford above the bridge; but seeing the whole right wing falling back from the bridge and below it, Colonel Martin was withdrawn and ordered to fall back to Honey Springs. Our forces were now in full retreat and the enemy pressing them closely. The Texans, under Scanland’s and Gillett’s command, were ordered to join me at Honey Springs, and the Creeks to withdraw from the extreme left and also concentrate at the same place. Colonel Bass’ and Colonel De Morse’s regiments, a part of which (under Major (J. A.) Carroll) had reached their horses, were directed also to rally at the same place. The remainder of

this regiment, under Lieutenant-Colonel (O. G.) Welch, who bravely maintained his position on the North side of the creek too long to rejoin his (regiment), were cut off and compelled to make a circuit via North Fork to this camp. Captain Gillett's squadron, arriving promptly, was formed on the road, and for a short time held the advance of the enemy in check. The Choctaws, under Colonel Walker, opportunely arrived at this time, and under my personal direction charged the enemy, who had now planted a battery upon the timbered ridge about 1,000 yards north of Honey Springs. With their usual intrepidity the Choctaws went at them, giving the war-whoop, and succeeded in checking the advance of the enemy until their force could be concentrated and all brought up. The Choctaws, discouraged on account of the worthless ammunition, then gave way, and were ordered to fall back with the others in rear of the train, which had moved off in an easterly direction, covered by our troops, who remained formed for hours in full view of the enemy, thus giving the train time to gain some 7 or 8 miles on the road to Briartown, which had been indicated by yourself as the route by which re-inforcements would be sent. *** The retreat of the forces under my command eastward instead of south completely deceived the enemy, and created, as I anticipated, the impression that re-enforcements from Fort Smith were close at hand and that by a detour in rear of the mountain east of Honey Springs our forces might march upon Gibson and destroy it while General Blunt was away with almost the whole Federal force. Under the force of this reasonable fear, General Blunt withdrew his forces and commenced a hurried march for Gibson. North Fork, where we had a large amount of commissary stores, was then saved, as well as the whole of the train, except one ambulance purposely thrown in the way of the enemy by the driver. A quantity of flour, some salt, and sugar were necessarily burned at Honey Springs, there being no transportation for it.

"Our loss was 134 killed and wounded and 47 taken prisoners, while that of the enemy exceeded 200, as I learned from one of our surgeons who was at Gibson when General Blunt's forces returned.

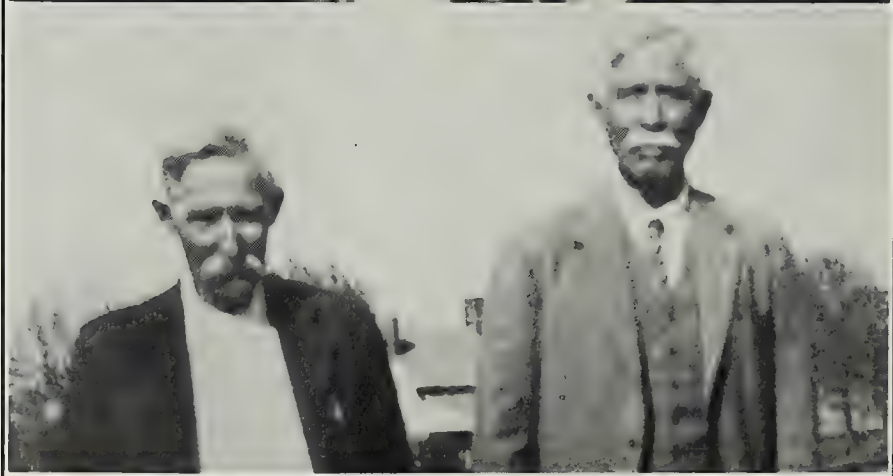
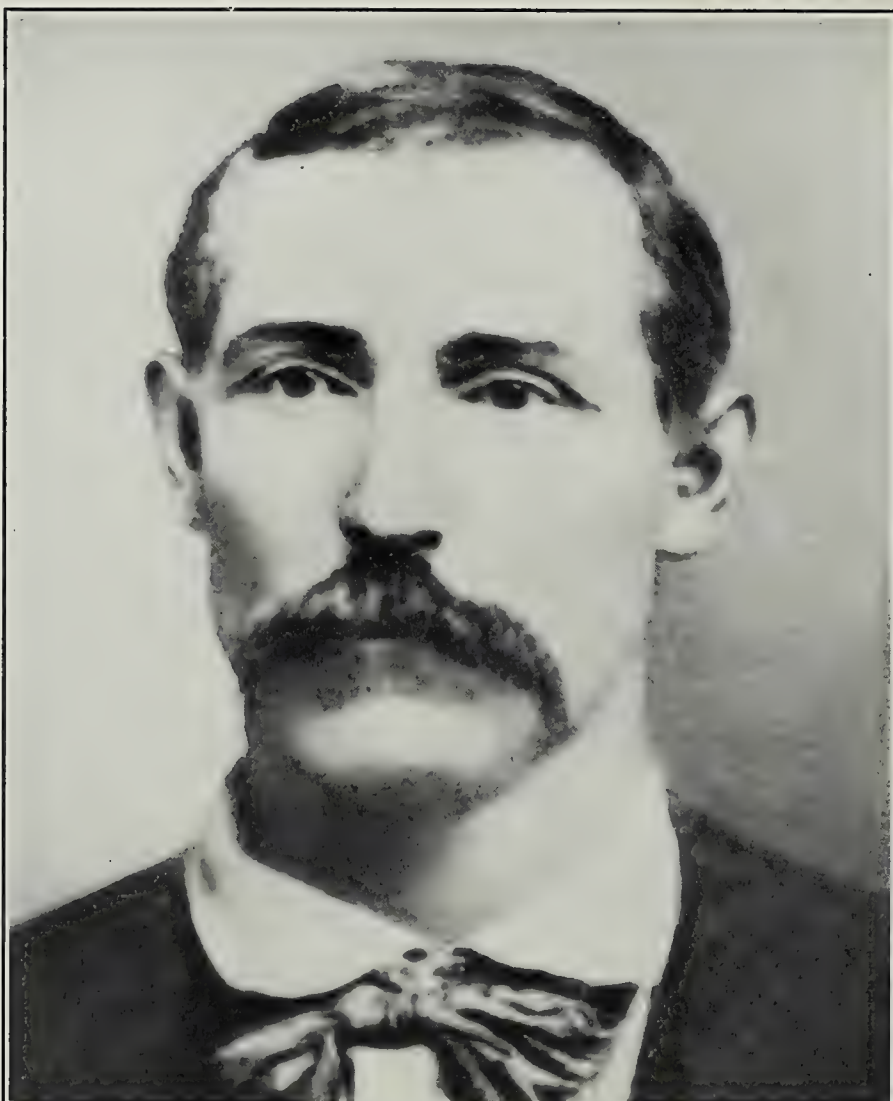
"I feel confident we could have made good the defense of the position at Elk Creek but for the worthlessness of our am-

munication. The Choctaws, who had skirmished with the enemy on the morning of the 17th, returned wet and disheartened by finding their guns almost useless, and there was a general feeling among the troops that with such ammunition it was useless to contend with a foe doubly superior in numbers, arms, and munitions, with artillery ten times superior to ours, weight of metal considered. Notwithstanding all these untoward circumstances, the men of Colonel Bass' regiment stood calmly and fearlessly to their posts in support of Lee's battery until the conflict became a hand-to-hand one, even clubbing their muskets and never giving way until the battery had been withdrawn; and, even when defeated and in full retreat, the officers and men of different commands readily obeyed orders, formed, falling back and reforming at several different positions, as ordered, deliberately and coolly. Their steady conduct under these circumstances evidently intimidated the foe, and alone enabled us to save the train and many valuable lives. The Creeks, under Col. D. N. McIntosh, at this juncture behaved admirably, moving off in good order slowly and steadily across the North Fork road in full view of the enemy. They contributed greatly to the safe retreat of the train and brigade.

“Among the officers who were distinguished for gallantry and good conduct, Col. T. C. Bass and Captain Lee were particularly conspicuous. Colonel DeMorse's conduct, though suffering under a severe wound, has been represented to me as all that should characterize a brave man. Colonel Martin, for his coolness and good management of his command, deceiving the enemy as to his real strength, and preventing our left from being turned, deserves great credit. Captain Gillett behaved with his usual gallantry. Major Carrol was active and prompt in bringing his men into line to cover the retreat. Colonel Walker and his Choctaws behaved bravely as they always do. Captain (F. M.) Hanks, of Bass' regiment was also distinguished for his gallantry, being dangerously wounded while carrying orders which I had sent to Colonel Bass to draw the right wing to his support. And the lamented (H. H.) Molloy, of the same regiment, fell, mortally wounded, soon after having delivered my order to his colonel to move DeMorse's and Martin's regiments up on the right flank of the enemy, who were advancing upon the battery at the center.

“Captain Johnson, who commanded a detachment from Colonel Bass’ regiment, came under my immediate notice. His conduct was, at the most trying time, cool and collected—that of a brave man and good officer. The nature of the ground precluded the possibility of personally observing all the movements of our troops and the conduct of the men and officers. Among those who were mentioned with praise by their immediate commanding officers are Capts. Hugh Tinnin, James L. Butler, and James Stewart, First Cherokee Regiment; Adj. L. C. De Morse, Twenty-ninth Texas Cavalry; Lieut. Henry Forrester and Sergt. J. Riley Baker, Lee’s light battery; Lieut. A. G. Ballenger, Second Cherokee Regiment (killed), and Acting Sergt. Maj. J. H. Reiersen, of Bass’ regiment, and Sergt. Henry Campbell, of the same regiment, were particularly distinguished, etc.”

Both armies buried their dead on the ground, but the bodies of the Federal Soldiers, and possibly a few of the Confederate dead, were later moved to the National Cemetery at Fort Gibson, but most of those who fell on the Confederate side, still rest in the hastily made graves along the banks of Elk Creek, where they fell.



Upper: Joe T. Roff—1888.

Lower: Joe T. and Charles L. Roff—April 13, 1935.

REMINISCENCES OF EARLY DAYS IN THE CHICKASAW NATION

By Joe T. Roff

Joe T. Roff, who has written this story of the early days in the Chickasaw Nation, is the oldest living member of a well known family who were pioneers in southwestern Oklahoma.

At his home in Roff, Pontotoc County, on April 13, 1935, he celebrated his 87th birthday. There were present on this occasion more than twenty-five relatives, including children, grandchildren, one sister, Mrs. Jennie Braly of Ada, and one brother, Charles L. Roff, who for many years was a resident and respected citizen of the Territory of Oklahoma, but now residing at Durant.

Joe T. Roff was born in Grundy County, Missouri, April 13, 1848, the son of Maj. C. L. Roff. When Joe Roff was but a child his father, Major Roff, moved to Chillicothe, Missouri, where he engaged in the mercantile business until 1858 when he, with his family, migrated to North Texas and located on Red River near Gainesville on the line separating Texas from Indian Territory.

Major and Mrs. Roff were the parents of several children, all of whom were pioneers in the settlement and development of Cook County, Texas, and that part of the Indian Territory known as the Chickasaw Nation.

It is doubtful whether anywhere in the United States, with a like population, there could have been found people who were more honorable in their dealings with their fellow men than the early settlers in the Chickasaw Nation. Some of these people were Chickasaw Indians—some part blood, some inter-married citizens and many others were white American citizens who were in the cattle business holding “rights” through their Indian friends. Many of the descendants of these pioneers are prominent citizens of Oklahoma today. Some have succeeded in business, some in professional life, while in politics they are most all to be reckoned with—if you be an office seeker.

Among the early settlers in the Chickasaw Nation, but few were better known than the Roff family. They opened up and

put in cultivation many farms; they engaged in various enterprises; built homes, started towns and helped to make what was a pasture land in to one of the richest agricultural sections in America.

Not only did the Roff family contribute to the material greatness of the country, but they made contribution to the educational, moral and religious interests. They helped in the construction of schools and churches, and to promote every worthy object for the preservation of high ideals of life and a better civilization.

Joe Roff has been generous to a fault and in his old age he has felt the effects of the depression, but he has no regrets; he has been amply rewarded.

While the great majority of the people were of the type spoken of, yet many renegades from the States had drifted into the Indian Territory to avoid the laws of the States. There were bold cattle and horse thieves to be dealt with, but when the honest people could not be protected by the law, they appealed to the first law of nature and made and enforced their own laws.

While the story related in Mr. Roff's reminiscences tell of horse stealing and cattle rustling and of the criminal gangs that infested the country in the days succeeding the Civil War, yet this is a part of the history of Southwestern Oklahoma and is told by a friend of law and order who had first hand knowledge of the events related by him.

The story of the early days was written by Joe T. Roff in 1930 but has been slightly revised and corrected for publication in the *Chronicles* by the author and his brother, Charles L. Roff, on the birthday of Joe Roff, April 13, 1935. —D. W. P.

Cook County (Texas), at the time of the Civil War, was a frontier County and Gainesville, a frontier town. Beyond stretched the boundless prairies with only a few white habitations here and there. There was an unlimited amount of game and thousands of plains Indians roved this vast expanse.

The frontier forts scattered along the border with their detachments of Federal troops, had afforded some protection

against Indian attacks before the war. These troops were now gone and most of the able bodied men of Texas being in the Southern army, the Indians were not slow to take advantage of the situation and began making raids and stealing horses from the planters along Red River.

The first depredations staged by the Indians were small affairs, usually participated in by only a few Indians who would come in during the light of the moon and run off the settlers' horses. Later they became bolder and began sending out war parties numbering from 150 to 200 Indians who often engaged in battle with the white settlers.

Sometime in the early part of the winter of 1862, a large war party of Indians came in on Fish Creek near the Potter place and had a fight. This was about ten miles northwest of Gainesville.

A man named Jim White with his family consisting of a wife and children were ranching on Bushy Elm a few miles west of the Potter place. He had moved there the previous spring with a bunch of cattle from Grayson County. On the morning the war party came in, he started out in company with one of his step-sons, Porter Parker, and one of his boys, Charley White, to make a trip back to Grayson County to kill some hogs he had left there to fatten. Shortly after they left, his other step-son, Ed Parker, just home from the army on a furlough, and a man named Anderson went out a short distance from the ranch to kill a beef. A few hundred yards from the ranch they saw in the distance four or five men huddled together on horseback. Anderson thought they were Indians and wanted to go back to the ranch, but Parker, remarking that he never ran until he knew what he was running from, rode down where they were and discovered that they were in fact, Indians. He threw up his hand in token of peace and the Indians responded in like manner but when they did so he saw their quivers of arrows and hastily turning his horse, spurred away with the Indians in close pursuit. Anderson was riding a good horse and having a good start managed to make his escape, but Parker was riding a small pony and the Indians soon caught up with him, one riding up on his right side, one on the left and one behind him. Parker

was unarmed, and as they rode up he reached out to grasp one of the Indians by his long hair. As he did so, the Indian behind him shot him in the back with an arrow but he finally managed to reach the house, tumble from his pony and spring inside. There was an old gun in the house and Anderson, by displaying it in a threatening manner, kept the Indians at a distance and they finally withdrew. Mrs. White attempted to pull the arrow from Parker's back, the first time without success. On the second attempt she gave it a jerk and the shaft separated from the head, leaving the head inside. The head of the arrow was made of hoop iron, cut diamond shape with a groove cut in the arrow head to fit the arrow and attached to the shaft with green sinew which, drying out, had held it firmly in place, but the blood had softened the sinew and when Mrs. White jerked the arrow the head and shaft parted.

In the meantime, Mr. White and the two boys had started on the first stage of their journey to Grayson County. Mr. White was riding a small pony and Porter Parker and Charley White were working a yoke of oxen to a wagon. Two or three miles from home they heard a volley of shots over on Fish Creek and knew that the Indians were in the country. Mr. White told the boys that he would hurry back to the ranch, and directing them to follow with the ox team, he rode away.

When the boys finally reached the crest of the hill, they had a clear view down the valley to the ranch house and, to their horror, they saw a large band of mounted Indians down near the house apparently in hot pursuit of some one. The boys then turned back over the hill, took to the prairie and made for a small bushy creek bottom that ran close up to the house. Creeping cautiously through the bushes along this creek bottom they finally reached the house in safety. Mr. White had not arrived and their worst fears were confirmed when one of them finally saw something lying on the ground two or three hundred yards from the house. It was the dead body of Mr. White, horribly mutilated. His entire scalp had been torn off, both ears, his nose and one hand had been cut off and his body cut open.

The body of Mr. White was taken to Gainesville and buried. Ed Parker was taken along for medical treatment and carried

to the home of Dr. Bomar. Dr. Bomar was not a surgeon, in fact there was no surgeon in Gainesville and no operation could be performed to remove the arrow head. He lingered a few days in great agony and then passed away.

Following the death of Mr. White and his stepson, I, as the only member of our family at home able to do anything, was called upon to assist in moving Mrs. White's things from Bushy Elm back to Grayson County. I drove a yoke of oxen to a wagon and it was a long, hard trip for a boy of my age. West of Gainesville we struck the Indian trail, one-fourth of a mile wide, indicating quite a large band and that they were driving a big bunch of loose horses for many dead horses were scattered along the trail.

It was a terrible trip and I still feel its effects. I was almost barefooted, the weather turned very cold and my feet were badly frozen. They still give me trouble even to this day.

Mrs. White lived only a few days after her return to Grayson County. The loss of her loved ones and the great nervous strain she had passed through was too much for her and she passed away, leaving six children, one of them only four years old, without a home or a relative in the country, but kind hearted neighbors rallied to their support and these orphan children found homes among the people. My folks took one of the girls and raised her. These children all lived to years of maturity and most of them married in the community. The oldest boy, Charley White, a deaf mute, was killed near Marietta, Indian Territory, by a train shortly after the Santa Fe railroad was built through the Indian Territory, and I have long since lost sight of the other members of the family.

The effort on the part of the authorities during the Civil War to curb Indian raids and depredations was only partly successful. Only one regiment of soldiers was available for the protection of the border, and as these troops were necessarily scattered out in small bodies along a long frontier line, the Indians, availing themselves of advance information as to where they were posted, made numerous incursions through the line to the white settlements.

At one time a detachment of twenty men belonging to Capt. White's company, struck a warm Indian trail in the northern part of Denton County. They followed the trail for some distance and finally came in sight of a small band of Indians riding leisurely along. Believing this small party of Indians constituted the entire raiding force, the soldiers started in pursuit, but it developed that the Indians they were pursuing were being used merely as a decoy and before they realized it they were surrounded by a large force of Indians, 150 to 200 in number and were forced into a running fight in order to cut their way out. The Indians were armed with bows and arrows and the soldiers with a varied assortment of old time rifles, shot guns and a few old cap and ball revolvers.

An amusing incident occurred during the battle, which proves that comedy and tragedy are sometimes curiously intermingled. Among the detachment of soldiers was Henry McGuire and his son, Berry. The old man was riding a small yellow pony with very little speed, but his son was mounted on a good horse which could easily outrun the old man's pony. When the Indians began to close in on them the old man was continually falling behind and each time this occurred he would call out to his boy, "Wait for your old Papa, Berry." The boy would then check up his horse, hold the Indians off until his father got a little start and then spur ahead again, saying: "Rid up, pap." The old man finally became thoroughly exasperated under this continual urging and cried out: "By Gad! Do you think I am a riding jockey?"

Although overwhelmingly outnumbered, the soldiers finally broke through and made their escape. Only one of them, a man named Snodgrass, of Whitesboro, was killed in the engagement.

In the winter of 1866 a large band of Indians made a raid in the western part of Cook County."

Ed Shegog, his wife and children were living in the path of this raid. At the time the raid occurred, Mr. Shegog was away from home. Tom Manasco, Mrs. Shegog's father, who lived near the Shegog home, learned that the Indians were in the country and went over to his daughter's home to take her and her small children to his own place, and on the way to his ranch they were

attacked by the Indians and Mr. Manasco was killed and the helpless woman with her children, including her baby, were carried off by the Indians. When night came it became intensely cold. The Indians had taken her baby from her and for a long time she could hear it sobbing in the darkness. Finally its cries ceased and one of the Indians rode up to her and grunted: "Papoose gone to Heaven." Either they had killed it, or it had perished from exposure.

The night was so dark that the Indians seemed to lose their sense of direction and wandered aimlessly around over the prairie. Late in the night Mrs. Shegog, numbed with the cold and nearly exhausted, fell from her pony. One of the Indians threw a Buffalo robe over her and they all rode off and left her. When morning came she managed to make her way to a nearby house and tell her sad story.

In the fall or early winter of 1867, a band of about twenty-five Indians crossed Red River to the Texas side at Scivills Bend in the night time and made a raid on the white settlement. As soon as it was discovered that the Indians were in the country, a small posse of men started in pursuit. There were six men in the party as I recall it now, two brothers, John and Ike Hobbs, Steve Pruitt, a Mr. Morris, a boy named Pace, and a young man named Rousseau.

They trailed the Indians back across the river to the Indian Territory side. It was daylight by that time. The country was rough and broken and heavily timbered, and the Indians resorted to the old strategy of leaving two or three of their number behind to lead the white men into an ambush, with the usual result that while hotly pursuing the decoy Indians, they found themselves suddenly surrounded by the main body of Indians.

My brother and I were "batching" at this time on the Texas side about two miles from where the whites encountered the Indians. It was a still, clear, frosty morning and we distinctly heard the first shots fired and heard the Indians chanting their war song.

Repeating rifles were unknown at that time. The Indians were armed with Spencer rifles, old discarded army guns, and

the white men were armed with cap and ball shooters, shot guns and army muskets. As soon as the first volley was fired, everyone had to reload. During the intermission that followed one of the white men gave a loud hallo! And by a strange coincidence, two hunters in the woods nearby heard the cry and answered it and the Indians, believing reinforcements were at hand, hastily gathered up their dead and left.

Three Indians were killed in this engagement. On the side of the white men, young Pace was killed, and Mr. Rosseau was seriously wounded.

These Indians came from the Indian Reservations. This was the last Indian raid made in the vicinity of where I lived as I now recall.

LIFE IN THE OLD CHICKASAW NATION

I moved to the Chickasaw Nation, Indian Territory, in 1871. When I came to the Territory there were very few white settlers here. The land embraced in what was then the Choctaw and Chickasaw Nations had, by treaty with the Indians, been ceded to them in consideration of the relinquishment of lands in Mississippi, Alabama and Tennessee. At the time of the removal of the tribes known as the Five Civilized Tribes, to the Indian Territory, the country was intended as a permanent abiding place of such tribes, where, as self-governing communities, they should be free from the interference and encroachment of the whites, but as years passed by and the population of the states contiguous to the Indian Territory increased, the whites overflowed into the Territory where they formed the commercial classes and improved and cultivated the land as tenants of the Indians.

Thus finally, partly as a result of the short-sightedness of the Indians, in admitting the whites into the country, and partly as a result of the pressure of the dominant race, which had overriden them in their homes east of the Mississippi and which they were again powerless to resist, the seclusion and isolation which they sought by immigration, was lost.

It is a matter of history now that their tribal laws and courts were finally abolished, the land once held by them in common

was allotted to them in severalty, and the old Indian Territory and Oklahoma came into the Union as one State.

I only refer to these matters here as a background for my description of life in the old Chickasaw Nation and the incidents I am about to describe, for those conditions grew out of the changes that time has wrought during the last fifty years.

At the time I came to the Chickasaw Nation the country was only thinly settled and as I have already stated there were only a few white settlers here, many of them intermarried white men who had contracted marriages with women of Indian blood. The Indians as a general thing lived in small settlements but the few white settlers were scattered here and there over the country and seldom located in the Indian settlements. Most of the Indians were adverse to manual labor and as game was plentiful they managed to get along very well with their stock and small garden patches. A few of the mixed bloods were more enterprising and had farms but, generally speaking, there was very little effort on the part of the Indians to put the land in cultivation. Originally no white people had any right to live in the Indian country and those who came in were really here on sufferance or permission of the Indian authorities. A permit law was enacted under the provisions of which white men were permitted to live in the Territory. The first permit law enacted provided that whites might live here by paying an annual permit fee or tax of twenty-five cents. This charge was later increased by the Indian Legislature, first to \$1.00 per year and later to \$5.00. There was very little objection to the first raise but when the annual permit was boosted to \$5.00 per head there was some dissatisfaction among the whites. Some few of them moved out but most of them paid the tax without question.

As the land was held in common, no one could acquire title to any particular tract of land. Right of possession depended on occupancy and improvements made upon the land. There was no law regarding land lines other than a trespass law making it unlawful for anyone to locate or reside nearer than one-fourth mile from the holdings and improvements of another.

As white people continued to drift into the country, some of the more enterprising Indians conceived the idea of making

long-time leases on their holdings from five to ten years, depending upon the amount of land put into cultivation and the kind of buildings erected. Under this lease system the country began to settle up very rapidly. The open range and plenty of grass and water began to attract cowmen and a number of stock ranches were established in the Indian Territory at an early date.

The fullblood Indians did not take kindly to the encroachments of the whites and would have been better satisfied without their presence in the country. I well remember a conversation at the Brier creek Court House on one occasion between Dr. Worthington an intermarried citizen who was County Clerk of Pickens County, and a bunch of full bloods, over the lease question. He was urging them to lease out their land, telling them that the game would soon be gone and that they would have to change their customs; that if they would rent out their land the rents would make them a living. The Indian listened attentively to his argument but rather scoffed at the idea, saying: "Tom Fuller mighty good, Doc; Tom Fuller mighty good."

As time went on the lease system was greatly extended. Cowmen were stocking the range with cattle, some of the pastures being fenced. Under the Indian law it was unlawful for a white man to hold cattle in the Indian Territory but this law was easily evaded by an arrangement with some Indian under which the pasture and cattle were held in the Indian's name.

Owners of herds of cattle on their way to the northern markets through the Chickasaw Nation from Texas were compelled to pay a tax of twenty-five cents per head on the cattle driven through the Indian domain. This law was also evaded by resourceful cowmen and Indians in many instances by giving a bogus bill of sale to some Indian who would meet them at Red River, the Indian for an agreed sum accompanying the cattle and claiming them as his own until they passed the Chickasaw border on the north.

During Governor Overton's administration in 1876 or 1877 the Indian Legislature again amended the permit law by raising the tax on each non-citizen from the five to twenty-five dollars. There had been some dissatisfaction some years before when the tax had been raised from one to five dollars but nothing to

compare with the tempest raised by this last increase. Many of the lessees and renters openly refused to pay and Governor Overton called out the militia and also the assistance of a squad of United States soldiers to collect the permit tax and remove those who refused to pay. These strong measures were effective and most of the white men paid off, their Indian landlords assisting them in many instances. Those who persisted in their refusal were removed from the limits of the Chickasaw Nation.

Meanwhile the tide of white immigration to the Indian Territory continued. A good many cowmen came in from Texas seeking new range for their cattle and all this tended to advertise the country. Many of the cowmen ran wire fences around their ranges, putting in large pastures to save expense and keep other cattle off their range. In this way a number of large pastures were enclosed in the western part of the Chickasaw Nation, some of them covering thousands of acres.

This illegal practice became so prevalent as to finally attract the attention of the Indian Government and a law was passed prohibiting Indian citizens from fencing more than a square mile or 640 acres of land and orders were issued for the removal of all fences enclosing holdings in excess of that provided by law. The owners refused to take down their fences and the militia was again called out to cut down the large pastures and put out permit evaders, and the Indian militia in obedience to these orders proceeded to cut the wire around the illegal pastures and considerable excitement followed.

W. E. Washington, an intermarried citizen, was the owner of one of these large pastures. A detachment of militia camped near his ranch with the view of cutting his fences the following day. During the night their horses were all stolen or run off, some twenty head were killed and the balance scattered over the country. It was generally believed that Washington's cowboys had run the Indian's horses off and Mr. Washington and some of his cow hands were arrested as I recall but the matter was finally adjusted in some way, Mr. Washington paying for the horses.

The early history of the Chickasaw Nation and so far as that is concerned, the whole Indian Territory, is crimsoned with blood. Many of the white men in the Chickasaw Nation could

hardly be classed as good citizens. The unsettled condition of the country and the difficulty of bringing criminals to justice made it an ideal refuge for renegades and outlaws from other states.

The United States Criminal Court with headquarters at Ft. Smith, Ark., was the only court having jurisdiction in the Indian Territory. It is true that there were Indian Courts but they had jurisdiction only in cases involving Indian citizens. A few Deputy United States Marshals, scattered over this vast territory constituted the only police force and energetic and efficient though they might have been, they were too few in number to apprehend many of the law violators and all round bad men of that day and time.

It was a violation of the United States law to introduce intoxicating liquor into the Indian country but this by no means prevented its introduction.

Among the notorious whiskey runners whose names were well known were the Wade brothers, white men, and two negroes, Dick Glass and George Mack. Their headquarters were in the Seminole Nation but as their supply of whiskey came from Texas, they had to pass through the Chickasaw Nation with their supplies, following what became known as the old whiskey trail. Another well known whiskey peddler and all round bad man was Frank Pierce Roberts, sometimes called Frank Pierce, who came from Texas. His headquarters was at Johnsonville, Chickasaw Nation. A bad negro, named Manual Patterson was another notorious character. He lived near old Cherokee town on the Washita. He finally killed one of the Ayers brothers, a Deputy United States Marshal, while resisting arrest and later died in the Ft. Smith jail.

To this list may be added the name of Bud Stevens. He committed a crime near Gardenville, Grayson County, Texas; when Deputy Sheriff Dallas Hodges tried to arrest him, Stevens shot and killed him and accompanied by his wife, fled to the Indian Territory and located near Sorgum Flats on the Washita in the Arbuckle mountains. Some of the brothers of Dallas Hodges learned of his whereabouts and went to arrest him. Stevens was in hiding in a secluded place in a rough broken country and

detecting their approach before they saw him, he opened fire, killing Babe Hodges and wounding Mr. Coleman and then made good his escape to a negro community near the foot of the mountains. Here he found a congenial spirit in the person of a young negro named Bully July and being of the same type of character they soon become cronies and boon companions and made frequent trips together to the mountain but July's cupidity finally resulted in Steven's death. Learning that Stevens had accumulated some little property, and desiring to possess it, the negro lured Stevens into the mountains, shot him down in cold blood and having concealed the body returned to the Stevens' home and informed Mrs. Stevens that her husband was badly injured in the mountains and needed her care and attention. The unsuspecting woman unhesitatingly accompanied the negro to the place where her husband was supposed to be located, where he murdered her and cast her body into a deep cave.

The protracted absence of Stevens and his wife excited little attention in the community where they had resided for it was known that he was an outlaw and on the 'dodge,' and it was generally believed that they had left the country. Probably their fate would never have been known if the lips of the murderer had remained sealed, but whiskey finally betrayed him. While attending a negro gathering and under the influence of whiskey he confidentially revealed the details of his crime to one of his colored friends named Loftus. Loftus later betrayed his confidence and told some of the other negroes. Bully became suspicious of Loftus and killed him but the details of the crime finally leaked out, probably through some of the negroes whom Loftus had told and officers were sent to the scene of the crime, the cave located in which Mrs. Stevens' body had been cast, and one of the officers lowered into the cave. When he reached the bottom he found that it was a veritable snake den and signalled his friends and they pulled him out. Procuring a gun he again descended and killed a large number of rattle snakes. The skeleton of Mrs. Stevens was found in the cave and with it a carpet bag containing her clothing. Bully was arrested, carried to Ft. Smith, tried, convicted and hanged in 1882.

I now come to the incidents leading up to the killing of my two brothers, Jim and Andy Roff, by the notorious Lee gang of

outlaws in 1885. At that time Jim and Andy and another brother of mine were ranching between Caddo Creek and the mountains about two miles west of the present location of Berwyn. Frank Pierce whose real name was Frank Pierce Roberts, Jim Lee and his brothers, Pink and Tom Lee, and their brother-in-law, Ed Stein, were operating in the vicinity of Red River some distance from where my brothers were ranching.

Frank Pierce had moved into the Indian Territory from one of the western counties of Texas and had located at Johnsonville, Indian Territory. His principal business was bootlegging and he was considered a very bad man. While he was at Johnsonville he killed Chub Moore, a Chickasaw Indian, but escaped conviction on a claim of self defense.

Ed Stein was running a small store at that time at Delaware Bend in Texas on Red River and from him Pierce obtained his supplies of whiskey. In fact Stein's place was the source of supply of most of the whiskey peddlers operating in the Chickasaw Nation. Jim Lee had married an Indian wife and as this gave him a 'right' in the country, he had a large pasture fenced in on the Indian Territory side of the river twelve or fifteen miles northwest of Delaware Bend near what was called Cold Branch, a tributary of Caddo Creek, a rather out-of-the-way place, and with him lived his brother, Pink. This place was the general "hold" of most of the bad men and outlaws passing through that part of the country.

These four men were all friends and associates in crime and the Lee brothers and Frank Pierce, in addition to their other criminal activities, were associated in rustling cattle.

For several years up to 1885 a number of cattle ranged in the mountains near the Roff ranch and in April of that year while my brother Jim was up in the mountains looking through the stock, he saw five or six men on horseback rounding up a small bunch of cattle. He started to ride over to where they were to identify them if possible and to see what they were doing with the cattle but when they saw him coming they left the cattle and rode off. He could not recognize any of the party but upon examining the cattle he discovered that they belonged to some of the settlers in the neighborhood, who owned small

herds. Some of them belonged to a man named Estes; others to a man named McColgin and others were 'off' brands. He left the cattle, rode off some distance and concealed himself, in a short time the rustlers returned and rounded up the cattle. Jim then went to Estes and McColgin and reported what he had seen. It was evening and they were late in striking the trail so they waited until morning and started out. They trailed the cattle across the river to Delaware Bend. When they rode up to Steine's store four or five men came out with guns in their hands, including Frank Pierce, the Lee Boys and also Ed Steine, who acted as spokesman for the party. My brother asked if he had seen anyone pass leading or driving a large span of black mules. Steine then turned to his followers, saying: "They are looking for some mules." Being greatly outnumbered and at a decided disadvantage, my brother and his companions did not deem it advisable to mention cattle and soon after rode away.

Later they got in touch with the sheriff's office at Gainesville and Mr. Hill, the sheriff, arranged to meet them on a fixed date and lay plans for the arrest of the rustlers. In accordance with this arrangement a meeting was held by a posse of men from the Territory, Sheriff Hill and some of his deputies. Sheriff Hill suggested that, inasmuch as he and his deputy, Pat Ware, were unknown to the Lee boys and Frank Pierce, they would go to the store and get inside on a pretext of wanting to buy something and in this manner locate their men and get the drop on them and in the meantime that the rest of the posse wait on the Territory side until they heard from them. This plan was finally adopted. Hill and Ware rode on to the store where they were met by Frank Pierce with a Winchester in his hands who brusquely asked them what they wanted and upon being informed by Mr. Hill that they were on their way to Dexter and wanted to know what road to take, Pierce pointed to the road with his gun and told them to 'hit it and not look back,' but to obey so they rode on to Dexter.

In the meanwhile the posse on the Territory side were waiting for some word from the sheriff but hearing nothing they finally became restless and sent a man who lived in that neighborhood and had sometimes traded at the Steine store to investigate, believing that he would not arouse any suspicion

among the people who were acquainted with him; when he arrived at the store Pierce ordered him to get in the house and be sure and stay there. As he did not return and no word came from him the posse finally decided to investigate the matter for themselves. There were six or eight men in the party, John Washington, Andy Roff, three or four Chickasaw Indians and possibly one or two others. They crossed the river and on approaching the store saw Frank Pierce come out of the back door and start across the lot. Mr. Washington, who had taken shelter behind a rail fence, called out to him to hold up, to which Pierce replied: "Hold up yourself." And he fired his gun at Washington, the bullet striking one of the fence rails and scattering a lot of splinters around him. Pierce then ran some distance, jumped on his horse which was already saddled, and started to cross the river, the members of the posse shooting at him and he returning their fire. He managed to reach the other side of the river but there he fell from his horse on the sand bar, literally shot to pieces, his record of crime at an end.

The members of the posse recovered a number of the stolen stock in a bushy pasture on the Texas side in a bend of the river. The Lee boys were not at the store at the time Pierce was killed but when they learned of his death they were much incensed and gathered together a number of bad men at Jim Lee's place on Cold Branch.

At this time Jim Guy, a brother of Governor Guy, was a Deputy U. S. Marshal, and also a member of the Indian Police force. He had a writ for Dallas Humby, an Indian negro charged with wife murder and finally located and arrested him at the home of his brother, Ed Humby, but his prisoner had a severe attack of sickness and Guy, thinking that he would not be able to travel left him with his brother Ed upon his promise that he would keep him until he was able to travel and then turn him over to the officer but before Guy could get back the Lee boys came and got him and took him to their place.

At this time Mr. Guy also had warrants for the arrest of Jim and Pink Lee and also an order from Governor Wolfe to cut their pasture, it being in excess of the acreage allowed by law.

With a view of arresting these parties and the negro, Dallas Humby, who was staying at the Lee place, Guy went to the Roff ranch and requested them to go with him as members of a posse to assist in apprehending these parties. My older brother, Andy, knowing that they would be on the lookout and were strongly fortified, did not believe it advisable to make any attempt at that time and tried to talk him out of the notion but Guy insisted telling them that if they would not go with him then he would not try to arrest them at all and finally my brothers seeing that it was a case of now or never, reluctantly consented to go. There were six men in the original party, my two brothers Andy and Jim, a cowboy from the ranch named Billy Kirksley, Deputy United States Marshal Jim Guy, and two regular posse-men, Windy Johnson and Emerson Folsom, a Choctaw. It was an ill-advised expedition for Guy's rashness cost him his life and that of three others of the party.

On the morning of the first day of May, 1885, Guy marshalled his forces at Henderson's store on the Washita some eight or ten miles from the Lee ranch. There were eleven or twelve men in the posse by this time. They left before dawn and arrived at the Lee ranch about sun-up. The Lee ranch house was a two room log house with an open hall between the two rooms. There was a small window on the north side of the east room with a board shutter and a stick and dirt chimney in the east end of the room. The house had been carefully arranged to resist attack with port holes through which to shoot, one port hole in the chimney and one on each side of the east room.

Some two hundred yards east of the house was a boggy branch and when Guy's forces reached the branch they found it so wet and boggy that they could not cross, only Jim Roff's horse reaching the other side, so they agreed to leave their horses with Mr. Johnson and walk up to the house. Mr. Guy told the boys that if the Lee boys refused to surrender he would not stage a fight but would withdraw his forces.

When the members of the posse came up near the northeast corner of the east room, someone, afterward said to be Ed Steine, the Lee boys' brother-in-law, opened the window shutter on the north side and asked them what they wanted. Mr. Guy

told him that he had writs for Jim and Pink Lee and an order from Governor Wolfe to cut their pasture; that he wanted them to come out and surrender and did not want any trouble and that he would see that they were protected. Steine told him to come around to the front and they would talk the matter over and shut the window. Guy and Folsom walked around to the front near a large Oak tree standing a short distance from the east end of the hall where Mr. Guy set his gun down. A moment later a shot was fired from the west room, the ball passing through his body killing him almost instantly. This shot was supposed to have been fired by the negro, Dallas Humby.

A few moments of silence followed and then from the port holes on the east end of the house was rained a volley of shots into the group of men outside most of them were assembled near the east end of the house. My two brothers, Andy and Jim Roff and Billy Kirksey were shot down in the first volley. Jim Roff and Kirksey were killed instantly, two bullets passing through their bodies. Andy Roff, though badly wounded, managed to get some distance from the house. The other members of the party fled from the scene of danger, some of them reaching the shelter of a small gulch heading up near the northeast corner of the house and others running and hiding from tree to tree and firing back. They all eventually made their escape.

My brother Andy was last seen alive by some of the boys who escaped, sitting at the root of a tree some little distance from the house apparently in great agony. All indications show that he must have been alive when the general firing ceased for when his body was picked up later at the root of the tree where he had been seen, it was discovered that two shots had passed through his body, one through the lower part and the other seemed to have been fired when he was in a sitting position for the bullet had entered his breast under the collar bone and passed out at the back lower down and had evidently been fired at close range for his clothing was powder burned.

It was related by the survivors that ten or twelve men must have been concealed inside the house at the time the shooting occurred for the firing was incessant, five or six guns working from the port holes and others being constantly fired from other

parts of the house. It was the general opinion that the gang inside included the three Lee boys, Jim, Pink and Tom, their brother-in-law, Ed Steine, Tom Cole, a man named Copeland, the negro, Dallas Humby and possibly three or four more including the Dyer brothers who shortly afterwards were hanged by a mob in Lamar County, Texas, after killing the sheriff of that county. At the time of the hanging one of them had a gunshot wound which he said he had received in a fight in the Indian Territory.

Great excitement followed these brutal and unjustified murders and large bodies of armed men were organized and sent out to range the country and hunt down the outlaws. The day following the tragedy a small body of men on the look out for the Lees, were fired upon from the brush but fortunately no one was hurt for the shots were fired at long range. The Sunday following the shooting which occurred on Friday, a crowd went to the Lee ranch and finding the place deserted, burned the ranch house down.

A. B. Roff offered a large reward for the capture of the Lee boys and Ed Steine, dead or alive. This reward was posted at Gainesville and as a result officers and detectives came in from Dallas and other Texas points to join in the hunt.

Shortly after the reward was posted Ed Steine and Tom Lee slipped through the country to Denison, Texas, and surrendered to the officers. They were taken to Sherman, placed in jail and on a preliminary hearing before U. S. Commissioner Rickets were committed without bail on a charge of murder and were taken to Ft. Smith and lodged in the U. S. jail to await trial. They had considerable property, cattle, horses, and some money and were able to secure able attorneys to defend them. Judge Pierson of Denison, Texas, and Cravens and Duvall of Ft. Smith were employed in their defense. They were tried that fall and after a hard fought battle were acquitted. Ed Steine moved to Denison and resumed his favorite business of selling whiskey but as he was one of his own best customers he soon wound up his earthly career. The last account of Tom Lee was of his conviction and confinement in the penitentiary on a charge of larceny.

The real leaders of the outlaw band, Jim and Pink Lee were at large for some time. They went heavily armed, usually carrying two revolvers apiece in addition to two rifles on their saddles and as they had a wide range extending from Delaware Bend on Red River on the south to the Canadian River on the north and a host of friends of their own stripe to keep them posted, scattered all over the country, their apprehension was a difficult task. Many of the niggers on Caddo Creek were giving them aid and comfort, carrying them provisions, advising them of the whereabouts of the pursuers and hiding them on occasions.

But a tireless Nemesis in the persons of Heck Thomas and Jim Taylor, were on their track. Heck Thomas, then living at Ft. Worth, Texas, a former United States Marshal and at one time city marshal of Lawton, Oklahoma, is well known to most of the people of Oklahoma. Taylor was a resident of the Indian Territory and had the reputation of being extremely handy with a gun. These men working together kept persistently on the trail of these outlaws from early summer until the month of September 1885.

One of the principal hold outs of these desperadoes was at Delaware Bend where many of their old friends and some of their kinfolks lived including Doc Lee, a brother, and two sisters; the Lee boys were often hiding around with these people.

In the vicinity of the homes of the members of the Lee clan, Thomas and Taylor established headquarters, staying at Strather Brown's place out on a hill on the edge of the prairie.

On the morning of the 7th day of September, 1885, Jim and Pink Lee started out south towards Brown's place with the avowed intention of locating Thomas and Taylor and shooting them down at long range. While Thomas and Taylor were at dinner some of the women folks came in and reported that the Lee boys had just ridden by at the back of the lot and Thomas and Taylor immediately started in pursuit accompanied by Jack Brown and another whose name I do not now recall. Believing that the Lee boys had gone into the 'brakes' in the direction of Steine's store they went in that direction but could not locate them there. Mr. Thomas finally ascended a high point overlooking John Washington's pasture and with the aid of his

field glasses located them out on the prairie five or six hundred yards from Brown's house towards which they were intently gazing.

A long branch headed in the prairie in Washington's pasture up near where the outlaws were standing and Thomas and his companions, entirely concealed from them, traveled up this branch to a place where it forked near the top of the hill. Here Jim Taylor left the rest of the party and crawled up the hill until he could peep over the top. One glance was enough for the Lee boys were in plain view only about seventy-five yards away. They were evidently unmindful of danger for they were still gazing off towards Brown's house. They had discarded two of their guns and each carried only one rifle apiece, one of them of large calibre, a 45-90 as I now recall, probably intending to do their shooting at long range.

Crawling back out of sight Taylor signalled Thomas to join him. Brown and his companion then crawled up the left fork of the branch to a clump of small trees and Thomas went directly up the hill and joined Taylor and together they crept to the crest of the hill. Whether they commanded the outlaws to lay down their arms and surrender, history does not record. At any rate they shot, and shot to kill. Pink Lee was shot through the head and expired at once. Jim Lee was badly wounded but game to the last, he sprang to where his brother lay and opened fire on his enemies but his sights were raised for long range shooting and they all went wild. As he refused to give up another shot was fired which closed his earthly pilgrimage.

Years have come and gone since those tragic days. Most of the actors in this stirring drama, good, bad and indifferent are sleeping away the ages in some quiet grave.

This is a world of change and other days and times have come. The old outlaws of the past are known no more and are almost forgotten. The old Tribal laws and customs have passed away and Oklahoma is now a sovereign state of the Union.

In this narrative I have touched the dark side of life but there was a brighter side as well. There was light among the shadows, sunshine and roses as well as crime and bloodshed.

There were joys as well as sorrows. People lived and loved and lost in those early days as they do now. There were friends whom we loved; neighbors whom we honored and respected. A great many of them have gone but I feel sure that these early pioneers have done their 'bit' to make the world a better place in which to live.

And those old time Chickasaws who were our friends, how we cherish their memory. Let us hope that their vision of a "Happy Hunting Ground" is a reality.

REPORT OF AN ARCHAEOLOGICAL SITE

By H. R. Antle, B. S.

A mile south and a mile and one-half west of the Oklahoma Portland Cement plant of Ada, an archaeological site was discovered on the farm of T. H. George, March 31, 1935. The existence of this site had long been suspected by the author because of the abundance of flint objects picked up on the surface. Thirty-five years of plowing had obliterated all traces of contours that would outline a former habitation site. Of recent date, however, the area was stripped on the surface and sand pits opened. It was while examining the sand pit that attention was attracted to several pockets of blackened soil apparent along the edge of the pit. The writer identified these at once as caches formerly dug beneath the floor of a habitation. A few moments digging into one of them confirmed the fact.

Next day permission was secured from the owner to excavate the area. He willingly cooperated and ceased any activities that would interfere with the work. Excavations began and continued for a month. The area was mapped and all material carefully preserved.

The site is located atop the first rise of the flood-plain of Little Sandy Creek and fifty yards from its course. The area is one of fossil sand dunes and ancient river terraces. At one time the village was possibly a hundred yards in length and fifty yards wide because in an isolated bit of ground one hundred yards removed from the site investigated, two caches were found that contained large potsherds and a number of broken bone needles or awls.

Excavations began on the caches exposed along the edge of the pit. These were six in number; two of the most widely separated were eighty feet apart.

Connected with the undisturbed ground and running out into the sand pit was a "peninsula" twenty-four feet long and twenty wide. It had been so left because of the inferior quality of the sand contained in it. Between its southern edge and the rim

of the sand pit a ditch had been dug twelve feet wide. From later studies it was ascertained that this ditch had destroyed the center of the habitation.

Two caches were exposed along the southwestern edge of the "peninsula." When excavated they gave up half a bushel basket of bones, mussel shells, flint chips and a number of smooth round stones. These latter were about the size of the fist.

In size, the caches were three feet in diameter and two feet deep. Being wider at the bottom than at the top, they gave a bell-like appearance that was found typical of all the caches studied.

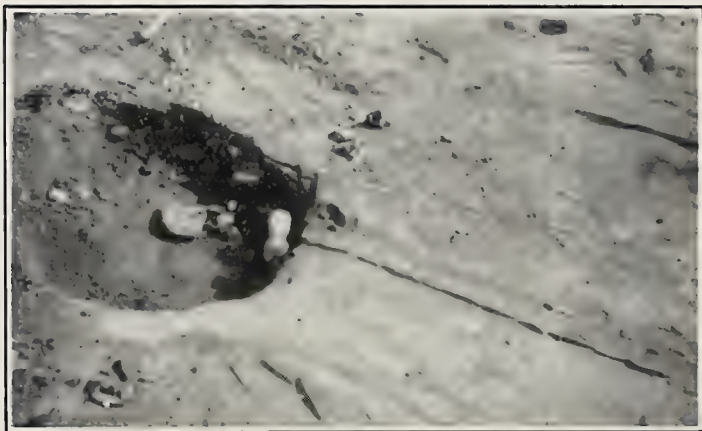
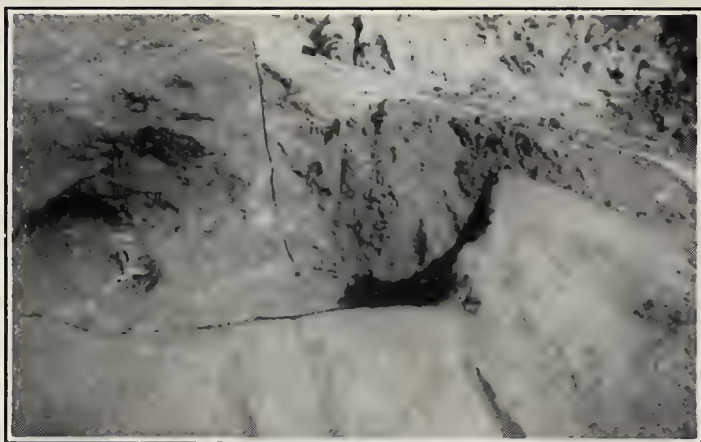
Opposite these two caches and in the bank of the pit two others were found. In the first and most easterly, in the bottom of the cache, eight flint arrows and two so-called knives were removed. Intermittent through the contained charred earth, were bone fragments and charcoal. The cache nearby yielded only bones. Of these mostly they were deer. A few were rodent and several pieces were of a turtle's carapace.

The two caches were three feet in diameter and three and four feet deep. West thirty-eight feet a cache, two and one-half feet in diameter and eighteen inches deep, yielded a celt. The celt was flat and poorly polished.

Along the eastern rim of the pit and sixteen feet from the base of the "peninsula," a cache was found buried beneath a two-foot deposit of refuse that filled a basin twenty feet across.

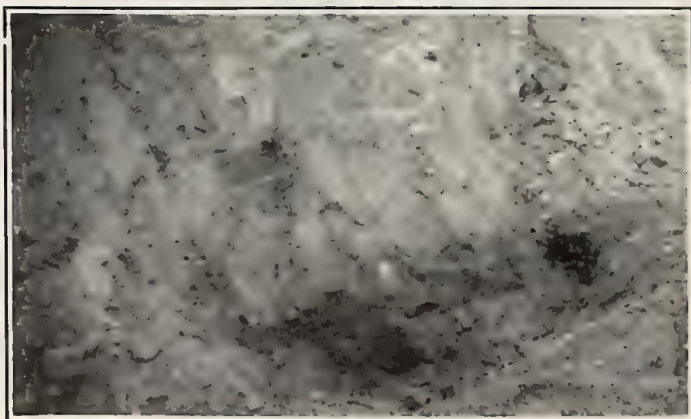
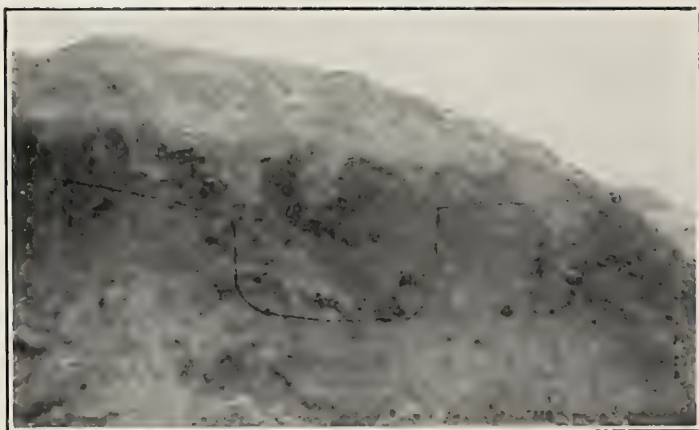
In this cache, besides the bone and shell fragments, a piece of pottery and an interment were found. The skeleton was drawn into such a position that it occupied only a space thirty-five inches long by seventeen and one-half inches wide. It lay on the left side, facing the east. Examination of the skeleton by Dr. John Morey of Ada, showed it to be that of a male, near sixty years of age, formerly about six feet tall, heavily muscled and in a fair state of health. This was the only burial found. Ordinarily burials are made on the flood plain of a creek where the soil is easily removed; occasionally they are made in a cache within the habitation and the place deserted. This may have been an interment in the early days of the village,

Excavated
cache
collapsed rafters
in foreground

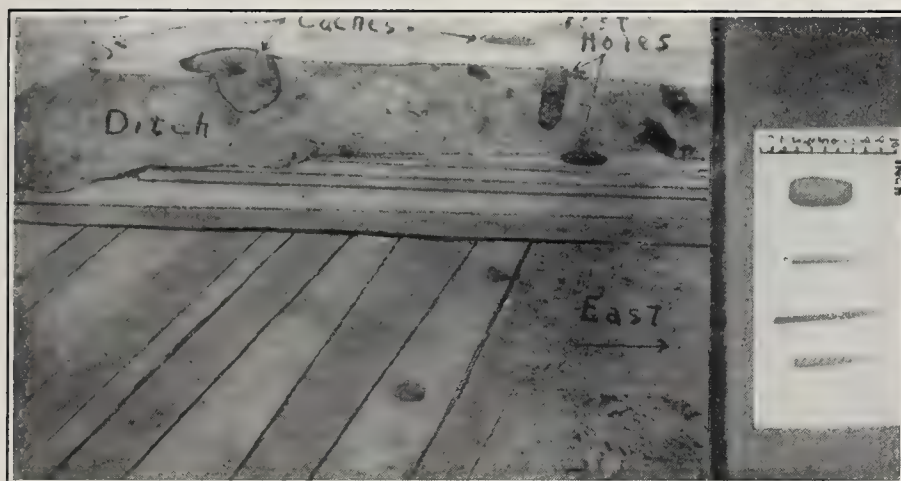


Start of
excavation of a
cache showing
smooth round
stones that
occur throughout

Profile view of
cache containing
burial. Photo
made before
excavation

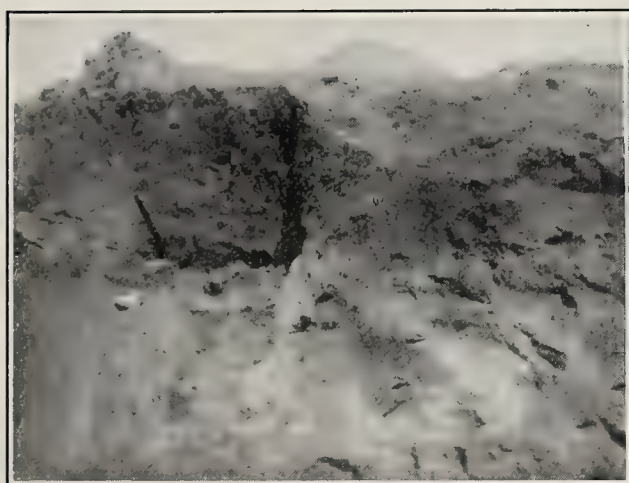


Profile of
cache containing
a number of
arrows

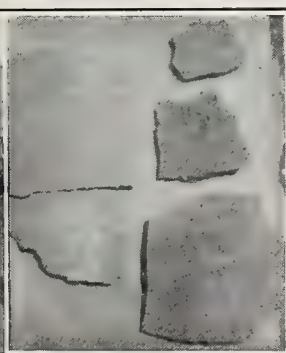


View across habitation site, collapsed supports,
holes, etc., outlined

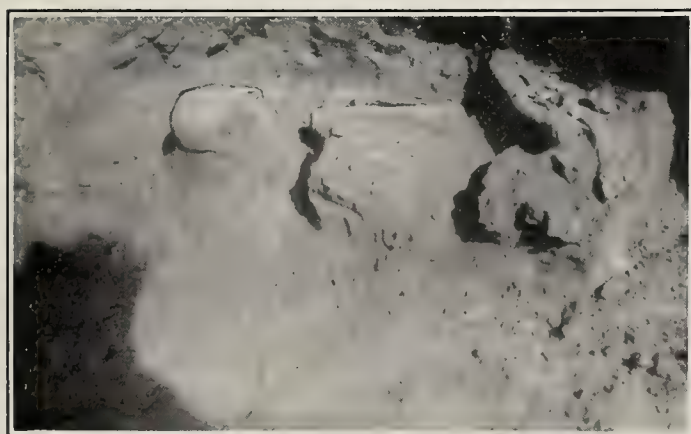
Celt, awls



Cache containing burial



Potsherds



Burial

such a conjecture being made because of the refuse atop the cache. The cache was four feet in diameter and five feet deep from the surface, through the refuse.

Having removed the contents of the caches, attention was next turned to the few inches of black earth that covered the surface for a distance of eighteen to thirty feet from the edge of the sand pit and over the entire area of the "peninsula."

With a small trowel this soil was removed down to the natural reddish soil beneath. The dirt was carefully examined as the work progressed so that any potsherd or artifact present would be recovered. When all the blackened soil present was removed three more caches, two large post holes and two small ones, and the collapsed supports of the former habitation were exposed.

The caches were three feet in diameter and from ten inches to two feet deep. Their contents were similar to the others with one exception. In one cache, eight feet from the southern rim of the pit, a piece of deer antler was found together with an oval-shaped rock. This latter was fifteen inches long, ten inches wide and convex on one side and with a flat polished surface on the other. The greatest thickness was three inches. What use could be ascribed to it cannot be stated; a guess would be that it served as a base for the modeling of pottery.

Two large post holes, one on the "peninsula" and the other across the ditch, separated by fourteen feet, were found. Judging from their position and relation to the collapsed supports, they are part of the central post holes where the main roof supports are placed. The smaller holes were possibly for the bracing of the slanting walls.

Five feet back from the south rim of the sand pit and over the entire area of the "peninsula," parallel black streaks, separated almost without fail a distance of eighteen inches to the other, ran in an east-west position. The longest measured was forty feet. The ends of all were eaten into by erosion. On the edge of the most southward, a series ran parallel and at right angles to the former group. At a point sixteen feet south they turned and went at an angle of sixty degrees. On both groups

there were occasional streaks running at odds with the general direction.

A cross-section of the natural soil showed this blackening had stained deeply into the sub soil. That these are stains produced by the collapse of the supports and rafters which later burned cannot be doubted. As an experiment, a small log was burned on top the red sand and later examination showed it to have stained the sand deeply.

The habitation was formerly a grass-lodge, constructed by making a circle whose diameter may have been forty to fifty feet. In a smaller inner circle four upright, forked posts were set. Near the outer edge of the circle ten or twelve small upright, forked posts were set. Within the forks slender poles were laid from one post to the next. Long slender poles were then laid against the horizontal supports and lashed. Their tops were drawn to the center in such a manner as to leave an opening in the very top for smoke to escape. Over the frame work, twigs and grass were woven to produce a thatching that would turn rain. A door opened to the east.

Within the interior, several families would take occupation. The caches that pit the floor were probably for the storage of food or family possessions. Sometimes camp refuse was dumped into them which accounts for the presence of bone and pottery fragments. As stated before, on rare occasions they were used for burial.

During removal of the surface, flint artifacts, potsherds, bones and smooth stones were encountered. Two stone hammers were found having a small concave depression on each flat surface. A few of the arrows were so superior to the remainder found as to lead one to suspect they were of a different culture. It is not uncommon to find these ancient camp sites had been used by other tribes as temporary camps.

The potsherds collected were either smooth or possessed with one type of decoration, cord-markings. Although fragments were collected a hundred yards apart, on the surface and in the caches, this was the only type of decoration. This effect is produced by wrapping a cord about a paddle and impressing the clay while the latter is still pliable. No bases were collected.

The type of base is an important point in an identification of culture. However, from a comparative study of known types, a conical or curved base is associated with sandy, uneven floors as this habitation has proved to be. The curved base is also an indication of antiquity.

A positive statement as to what culture existed at this site can not yet be made. That they are not Caddoan is expressed because only five miles farther west an extensive Caddoan village was excavated by the author during the past three years. The Caddoes usually constructed earth-lodges with hard-packed floors. Their pottery was decorated with paint and incised markings and possessed flat bases. Their flint objects showed remarkable workmanship. Many other factors, show up, contrasting with the culture at the site just excavated. That this is not the only site of this particular culture is borne out by the finding of two similar locations within a mile of the present location. At one of these sites, ground has been broken for the first time this year. In the field the writer found one mound three feet high and sixty feet in diameter. Should conditions permit, excavations will be made upon it. Perhaps more light will be thrown upon the identity of the culture responsible for it.

MISSIONARIES OF THE LATTER DAY SAINTS CHURCH IN INDIAN TERRITORY

Six months after the organization of the Mormon Church, on April 6, 1830, Parley Parker Pratt and other missionaries of the Church visited some of the New York and Ohio Indians, and continued to Kansas. Here they interviewed William Anderson, chief of the Delawares, to whom they explained the Book of Mormon. After much persuasion, he was induced to call the council in session, to whom the missionary Oliver Cowdery made an address. The Delaware Chief, as spokesman for his tribe, promised to build a council house in which the Mormons might instruct his people. According to the account by Elder Pratt in the archives of the Mormon Church in Salt Lake City, considerable interest was manifested by the members of the tribe, but when news of this interest and excitement reached the frontier settlements in Missouri, the Indian agent ordered the Mormons out of the country. They crossed over the line into Jackson County, Missouri, and began their labors among the whites.

When the migration of the Mormons to Salt Lake began, in 1847, Bishop George Miller declining to follow instructions, refused to go to Utah, and departed to Texas instead, to visit his son. He was accompanied by two others, and the three of them reached Tahlequah in the Cherokee Nation July 9, 1847. They had learned that mechanics were needed there, and they obtained work immediately. They built three of the early brick houses in Tahlequah, one of which was the veteran hotel known as the Capitol Hotel, which was recently destroyed. While they were here, they held meetings in the home of Bishop Miller, and later in the courthouse constructed by them. The teachings of the Mormons were resented by local citizens, and as a result Miller left Tahlequah in December, 1847, leaving his associates there to finish his contracts.

The Mormons did not abandon the Cherokee field however, and Henry W. Miller and other elders of the Church left Salt Lake City May 7, 1855, and going by way of Fort Leavenworth and Fort Scott, arrived in the Indian Territory for the purpose of establishing missions in the Cherokee and Creek Nations.

They arrived at the residence of Captain Jacob Croft on Spavinaw River near its junction with the Grand River in the Cherokee Nation on July 4, 1855. From this time their labors were described in the journal in the archives of the Church in Salt Lake City.—G. F.

Thursday, July 5. Elder Henry W. Miller and his missionary companions spent the day with Captain Croft and family, teaching them the principles of the Gospel as taught by the authorities of the Church in the Valley. Capt. Croft and family who had been with Lyman Wight in Texas had left that state for the valley, having become dissatisfied with the administration of Lyman Wight. But when the family arrived in the Indian Territory, they had met with some Strangites who told all sorts of stories about conditions in the valleys of Utah, which caused Capt. Croft to stop for a while in the Cherokee nation.

Friday, July 6. Henry W. Miller and his companions held a meeting at Captain Croft's place and spent the day visiting and teaching. They continued their visiting and teaching also the following day and began to gain influence over some of Capt. Croft's company.

Sunday, July 8. Elder Henry W. Miller and his companions preached to a respectable congregation at Lewis Rogers' place.¹ There was a good attendance and the people seemed to be interested. In the evening Bro. Cooper baptized Stephen A. Duggin. The following day was spent by the missionaries visiting and teaching the people who began to feel an interest in the principles taught by the Elders.

Tuesday, July 10. Bro. Moody baptized Jacob Croft and family (eight in number). They were confirmed by Elder Miller and others, and Elder Miller preached to the people. The following few days were spent by Henry W. Miller and his companions visiting and teaching among the people, and on Friday, July 13th, they held another meeting at Bro. Croft's place, those present taking much interest in the teaching.

¹The site of Lewis Rogers' place is a short distance above Spavinaw Dam, and is now covered by the lake made by it.

Elder Miller and his associates finally convinced these followers of Lyman Wight concerning the leadership of the Church and the majority of them numbering between 40 and 50 souls emigrated to Salt Lake Valley in 1856.

Saturday, July 14. Elder Henry W. Miller baptized and confirmed Wm. Slade and wife, Joseph Hatfield, Saney White, and her daughter, and Lewis Rainer. Bro. Miller then rode twelve miles to Mr. Springton's, in company with Bro. Croft; they stayed all night with the Springtons.

Sunday, July 15. Elder Henry W. Miller went two miles to attend a Baptist meeting, having been invited to do so. Two Cherokees preached in their own language and Elder Miller preached in the afternoon to the same congregation, through an interpreter, about 400 persons being present. Elder Miller was invited by the Cherokee preachers to attend their meetings at that place and use their pulpit also at other times. Elder Miller blessed Bro. Robert C. Petty, who was sick. Bro. Cooper and Moody preached at Joseph Nortin's seven miles west of Bro. Croft's.

Monday, July 16. Elder Henry W. Miller spent the day with the brethren at the home of Bro. Jacob Croft which was made mission headquarters for the time being.

Tuesday, July 17. Elder Henry W. Miller held a meeting at Bro. Croft's place and baptized four persons, namely, George Crouch, George Hawley and wife and Wm. Hawley, and he also organized a branch of the Church, called the Cherokee Branch, setting apart Wm. Slade to preside over it. He also ordained four Elders and two teachers. A good spirit prevailed, and in a meeting, which was continued until eleven o'clock p. m. Elder Miller addressed the congregation under the promptings of the Spirit of the Lord.

Wednesday, July 18. Elder Henry W. Miller baptized and confirmed Elizabeth Crouch. He then accompanied Bros. Cooper and Moody to Bro. Slade's place and stayed over night.

Thursday, July 19. Elder Henry W. Miller took leave of Bros. Cooper and Moody, who pursued their journey toward Texas. After that Elder Miller spent several days visiting with

Bro. Croft and Bro. Crouch and also waited upon Bro. Petty who was sick.

Sunday, July 22. Elder Henry W. Miller preached to a very attentive congregation in the school house and in the evening met with the branch at Bro. Croft's.

Tuesday, July 24. Elder Henry W. Miller, accompanied by Bro. Slade, started out to go to Tahlequah, the capital of the Cherokee Nation, to see the Chief, John Ross, they also had an interesting conversation with Judge Hicks and stayed overnight eight miles from the town.

Wednesday, July 25. Elders Miller and Slade continued their journey to Tahlequah which they found to be a small town situated near the Illinois River. Here they met Mr. Ross, chief, and Elder Miller gave him a letter of introduction written by President Brigham Young and had quite a conversation with him. He invited Bro. Miller to call again. The visiting brethren also saw Mr. Butler,² the Indian agent who was sociable and friendly. They also met Bro. William Ritchie their fellow-missionary in Tahlequah. They rode out fifteen miles from town and stayed all night with a Mr. McCoy. The next day (July 26) the two Elders returned to Bro. Slade's place and stopped there over night and on the 27th Elder Miller returned to Bro. Croft's place, where he found Bro. Robert C. Petty very sick.

Sunday, July 29. Elder Henry W. Miller went twelve miles to the Baptist meetinghouse to fill an appointment to preach. He spoke through an interpreter and his sermon was well received. Leaving another appointment, he returned to Bro. Croft's where he found the branch gathered in meeting and addressed them a short time.

Monday, July 30. Bro. Henry W. Miller baptized and confirmed the wife of Bro. Duggin, Elder Miller spent the following week at the home of Bro. Jacob Croft waiting upon Bro. Petty who was still very sick.

Sunday, August 5. Elder Henry W. Miller preached at the home of a Mr. Rogers to an attentive congregation, and in the

²Pierce M. Butler, Cherokee Agent, formerly Governor of South Carolina, was killed while serving at the head of the Palmetto Regiment from his state in the Battle of Cherubusco in the Mexican War.

evening met with the Saints at Bro. Croft's, where the sacrament was administered. He also baptized and confirmed Elias Wright. A large congregation witnessed the ceremonies. Elder Miller spent most of the following week at Bro. Croft's, waiting on Bro. Petty (Henry W. Miller's Journal).

Sunday, August 12. Elder Miller, having spent the night with Mr. Martin, accompanied him to the courthouse on Grand River where he preached, returning to Bro. Slade's in the evening.

Monday, August 13. Elder Henry W. Miller baptized and confirmed three of Bro. Slade's children and then went to Bro. Croft's where he found Elder Petty's health improved.

Wednesday, August 15. Elders Washington N. Cook and John H. Richards arrived at Bro. Croft's from the Delaware Indians and reported that they could not get a chance to preach to that tribe of natives.

Thursday, Aug. 16. Elder John A. Richards went twenty miles east to see what he could do there. Elder Miller crossed Grand River to see Sister Wright, while Elder Cook remained with Bro. Petty at Bro. Croft's.

Saturday, August 18. Elder Henry W. Miller went to Mr. Springton's and stopped over night. Here he had a good Gospel conversation with four or five Baptist preachers whom he accompanied to their meeting the following day, but had no opportunity to preach.

Monday, August 20. Elder Orson Spencer and Elder James McGaw arrived at Croft's place from Mormon Grove in Kansas. These two brethren now spent several days at Bro. Croft's conversing with Elder Henry W. Miller and counseling in regard to the welfare of the mission. (Henry W. Miller's Journal).

Thursday, August 23. Elder Orson Spencer preached at a meeting held at Bro. Croft's and then went seven miles to Mr. Martin's residence where he preached in the evening meeting.

Friday, August 24. Elder Henry W. Miller, accompanied by Elders Spencer and McGaw, traveled westward to the Verdegris River, where they camped for the night. The following day

they called to see Mr. Foreman, a Baptist preacher, but he being absent from home they camped for the night on a small creek.

Sunday, August 26. Bros. Spencer and Miller and McGaw went to Grand River where they had an interesting conversation with a Mr. McDaniels upon the principles of the Gospel. They returned to Bro. Croft's and held a meeting. Several days were now spent by the visiting brethren in calling upon Saints and strangers on Grand River and neighborhood.

On Friday, Aug. 31st, they left Bro. Slade's place for Tahlequah where they arrived the next day and called on Mr. Ross, the Indian Chief, with whom Elder Spencer had a long talk on the situation of the Cherokee Nation and the Indians in general. Mr. Ross said he had the Book of Mormon and would read it. He belonged to the Methodist Church. The brethren stayed all night with the chief.

Sunday, September 2, 1855. Elders Spencer, Miller and McGaw accompanied Mr. Ross and family to meeting and heard a Methodist preach. After meeting the brethren left to return to Bro. Croft's place where they arrived on the 4th, after stopping with Bro. Slade all night.

Tuesday, Sept. 4. A meeting was held in the evening at Bro. Croft's place, attended by several persons who had belonged to Lyman Wight's company. (Henry W. Miller's Journal).

Wednesday, Sept. 19. Elder Henry W. Miller baptized eight persons, namely, Eben Johnson, Wm. and Sarah Jane Johnson, Laminay Drake, John Hawley and wife, Abraham March and Francis Croft; he held a meeting in the evening and confirmed the newly baptized converts. A few strangers were present. Elder Miller spent the following few days visiting among Saints and strangers near his temporary headquarters, and on the 27th he baptized and confirmed George Burgess and also administered to Mr. Burton's child who was very sick; the child was healed.

Friday, Sept. 28. Elder Henry W. Miller went to the Sulphur Springs, two miles from Mr. Burgess's place, and stayed all night. He spent several days in this neighborhood, and on Sunday, Sept. 30th, preached to a small congregation at Mr. Mc-

Nane's. He returned to Bro. Croft's place October 1st. (Henry W. Miller's Journal).

Wednesday, Oct. 3. Elder Henry W. Miller baptized and confirmed Isaac Hawley. After that Elder Miller spent about ten days visiting Saints and strangers and held a number of small meetings.

Sunday, Oct. 14. Elder Henry W. Miller went to the residence of a Mr. James Vance to hear a Mr. Mack³ a Moravian preacher, who had stuck up posters announcing that he would give a true exposition of "Mormonism." Elder Miller was anxious to hear what he had to say, and had received the promise from Mr. Vance that he should have the privilege to reply, if Mr. Mack did not tell the truth. Mr. Mack, however, refused to comply with this promise, although Mr. Vance requested it, and so Bro. Miller invited the congregation to accompany him to the residence of Mr. McNane, about a mile away. Most of them did so, and Elder Miller then delivered a sermon on the first principles of the gospel as there was nothing in Mr. Mack's lecture worth replying to.

Monday, October 15. Elder Henry W. Miller baptized the wife of Mr. Buffington and then started for the home of Bro. Slade, suffering on the road with ague and a high fever. The next day he returned to his temporary home at Bro. Croft's, where he went through a siege of severe sickness which lasted several weeks; it was an attack of fever and ague. He, however, visited as much as his health would permit among Saints and strangers and held several meetings.

Saturday, November 10. The following named Elders arrived at Jacob Croft's residence from St. Louis, Mo., to labor as missionaries in the Indian Territory; James Case, Wm. Bricker, George Higginson, and Henry Eyring. (Henry W. Miller's Journal).

³Mr. Mack: Probably Rev. Edward Jacob Mock, who was connected with the Moravian Missionary work in Indian Territory, the principal establishment of which was located at New Springplace, near the present Oaks. Mr. Mock was born February 25, 1822, in Davidson County, North Carolina. He served as missionary among the western Cherokee Indians for thirty years, and died at Friedberg, North Carolina, January 16, 1887.

Monday, Nov. 12. A meeting was held in the evening at Bro. Croft's house, according to appointment, at which President Henry W. Miller gave the newly arrived brethren instructions as the spirit directed, and assigned the Elders to their several fields of labor as follows: James Case to the Creek Nation to be accompanied by Henry Eyring; John A. Richards and Wm. Bricker also to the Creek Nation; Washington N. Cook and George Higginson to the Choctaw Nation. At this meeting the Elders bore their testimonies to their faith in the work of the Lord and their willingness to obey the counsel which should be given them and to labor as the spirit of the Lord should direct.

Thursday, Nov. 15. Elder Henry W. Miller solemnized the marriage of Wm. Hawley and Nancy Matheney (the step-daughter of Bro. Croft). Not only a meeting but a wedding supper was held in honor of the event.

Saturday, Nov. 17. Elders John A. Richards and Wm. Bricker left Bro. Croft's place for their field of labor in the Creek Nation.

Sunday, Nov. 18. At a meeting held at Bro. Croft's place, Elder James Case and others of the newly arrived brethren bore their testimonies. Among the congregation were seven Cherokee Indians.

Monday, Nov. 19. Bro. George Higginson left Bro. Croft's place for his field of labor. First he went to the place where Elder Washington N. Cook was staying and thence continued the journey to the Choctaw Nation. The Cherokees furnished them with means for traveling expenses. Elder Miller spent the remainder of the month at Bro. Croft's sick with fever and ague.

Sunday, Dec. 2. Elder Henry W. Miller preached to a congregation of Saints and some Methodists, among them a Methodist preacher. Though still sick, Elder Miller preached about two hours in the evening meeting.

Sunday, Dec. 9. After attending meeting at Bro. Croft's, Elder Henry W. Miller baptized six persons, namely, Enoch Hackshaw and wife, Stephen Maloney and wife, Jeannette Goudy and Rebecca Hewitt. They were confirmed in the evening meeting. Elder Miller spent the remainder of the month visiting

among the Saints and bearing his testimony to strangers in the vicinity of Bro. Croft's residence. Part of the time he stayed with Bro. Burgess and family. He was still suffering from fever and ague.

Monday, Dec. 31. Elders James Case and Henry Eyring left the Croft residence for the Creek Nation where they had been called to labor as missionaries.

Tuesday, January 1, 1856. Elders James Case and Henry Eyring, immediately after their arrival in the Creek nation, commenced to lay the foundation for the work of the Lord in that part of the Indian Territory. Early in the year Bros. James Case and John A. Richards called on Gen. Rollie McIntosh, the chief of the Creeks, who thought that there were already preachers enough in the country and that there was no need for any more. He, however, did not forbid the Elders to preach. The winter in the fore part of 1856, was very severe and the Elders were obliged to labor for their bread and suffered considerably for lack of proper food and clothing. At the opening of spring, 1856, they revived their labors and were successful in baptizing a few converts. Bro. Eyring baptized an Indian town chief who through his influence caused a number of others to be baptized. Bro. James Case organized a branch in the Creek Nation called Princes Creek Branch. (Journal History of Aug. 31, 1860)

Friday, Feb. 1. Bro. Slade came to the home of Mr. McNane and informed Pres. Henry W. Miller that Bro. Robert C. Petty who lay very sick at the home of Bro. Slade was not expected to live. Bro. Miller went to the Slade residence at once, where Bro. Petty died at 2:45 o'clock a. m. the following morning (Feb. 2nd). Bro. Miller stayed with the Slade family the remainder of the night.

Saturday, Feb. 2. Elder Robert C. Petty having died early in the morning (at 2:45 a. m.) Pres. Henry W. Miller left the Slade home and went to Bro. Croft's to make arrangements for the funeral.

Sunday, Feb. 3. The remains of Elder Robert C. Petty were interred at the burial ground of Joseph M. Einche, between

Grand River and the Spavinaw River. The death of Elder Petty cast a gloom over the Saints of the Indian Territory Mission. After the funeral, Elder Henry W. Miller, who was still sick, spent the entire month at the home of Bro. Croft's preaching occasionally on Sundays as well as his health would permit.

Sunday, April 6. The missionaries laboring among the Creek Nation and others met at the home of Bro. Croft. Prest. Henry W. Miller was the principal speaker in the forenoon, and several of the Elders occupied the time in the afternoon. The general authorities of the Church were sustained and upon motion of President Miller it was agreed to hold conference in the Indian Territory Mission every year on April 6th, when the general authorities of the Church would be sustained.

In April, 1856, Elder Eyring having received an invitation, made a trip into the Cherokee Nation and baptized six persons in the course of the summer and ordained one Elder. One of those baptized was aged 145 years; he lived two years after his baptism and died in the faith. Several others were also baptized by the other Elders and a branch was organized in Prior Creek, Cherokee Nation, in the summer of 1856. Those connected with that branch afterwards removed to another locality and the branch was dissolved. (Journal History Aug. 31, 1860).

Saturday, May 3. Elder Henry W. Miller had an interview with Mr. Butler, the agent for the Cherokees, who had issued an order to Mr. Jefferson Hicks to arrest Elder Miller, take him to Fort Gibson and deliver him to the commander there, to be taken next to Van Buren in the State of Arkansas, finally to be delivered to the U. S. Marshall with the expectation to have him confined in jail until the Court would sit; then they expected to try him for something, no one seemed to know what. However, the Sheriff, after having a talk with Dr. Ross, one of the counselors of the nation and a nephew of the Chief, refused to serve the writ. Consequently Elder Miller was permitted to enjoy his liberty. Mr. Butler promised Elder Miller that the writ would not be served, and if it became necessary for Elder Miller to leave the nation, Mr. Butler would inform him of the same by letter and not issue another writ.

Mr. Butler informed Elder Miller that it was Lewis Rogers who had entered a complaint against Elder Miller. This Mr. Rogers was a neighbor to Bro. Croft,⁴ and the rest of the members of the Cherokee Branch and was displeased with Elder Miller for counseling the brethren to leave the nation to gather to Zion. Elder Miller believed that Mr. Butler was a gentleman, but had been imposed upon; he had, on investigation, found things were different among the Saints than he had expected; he thought a great deal of Bro. Croft with whom he had been acquainted for several years. Elder Miller had a long talk with Mr. Butler upon the principles of the Gospel, but Mr. Butler advised Elder Miller not to preach in the settlement any more for the present. He was convinced that Mr. Rogers, a Methodist, was meddling with the affairs of the Saints at the instigation of the priest. After this Elder Miller remained with Bro. Croft for a short time engaged in manual labor. (H. W. Miller's Journal).

Monday, May 19. Elder Henry W. Miller left the Crouch residence (where he had been staying several days) for Mill, distant about 65 miles. He rode that day twenty miles to the home of Daniel Ross on the Illinois River, stayed with him all night and conversed upon the principles of the Gospel until a late hour. On the morning of the 20th Elder Miller baptized and confirmed George Washington Kane and talked to the people for some time, after which he rode to Bro. Slade's (35 miles) and later returned to Bro. Croft's.

Friday, May 23. Bro. Benjamin L. Clapp, on his way from Texas to Great Salt Lake Valley, with a small company of Saints, called at Bro. Croft's to see Elder Henry W. Miller.

Sunday, May 25. Henry W. Miller attended meeting at the home of John Burgess, where Elder William Bricker preached, followed by Elder Miller. At the close of the meeting Bro. Bricker baptized three persons who were afterwards confirmed under the hands of Bros. Bricker and Miller.

Monday, May 26. Elder Miller left the home of Mr. Burgess for the Creek Nation. After riding 25 miles, he took dinner with

⁴From the statement in the journal that Croft was a neighbor of Lewis Rogers, it would seem that the center of Mormon activity was on the Spavinaw River.

Edward Burgess. Here he found Moses Fenemon and went home with him, traveling twelve miles. (Henry W. Miller's Journal).

Tuesday, June 3. Elder Henry W. Miller went to the camp ground where Bro. Slade and others had made an encampment ready to start for Utah. Here he also found Bro. Benjamin L. Clapp and company from Texas,⁵ together with Bro. Andrew Bigler on his way to Utah. Elder Miller spent several days in the neighborhood, assisting the Saints who were making preparations to emigrate to Utah. On the 19th Bro. Croft and Bro. Hackshaw arrived at the camp on Grand River. The river was too high to ford.

Sunday, June 22. Elder Henry W. Miller organized the company for traveling, appointing Bro. Jacob Croft captain, Bro. Wm. Slade chaplain, Bro. Hawley sergeant of the guard and Bro. Stephen A. Duggen, clerk. The company consisted of 65 souls, all bound for Utah.

Thursday, June 26. Captain Jacob Croft's company of emigrating Saints left the camp on Grand River en route for Utah.

President Henry W. Miller who accompanied the emigrants as far as Kansas City, kept a journal of their experimences, from which it appears he accompanied the travelers seven miles from Kansas City, where he bade them farewell. They then continued on to Salt Lake City, and he departed for St. Louis to confer with the Mormon Brethren. Traveling by steamboat, he returned to Kansas City August 12, and then departed again for the Indian Territory. Proceeding by way of Fort Scott, he arrived at Spring Creek on August 18.

" Here we met Bro. Buster from the Cherokee Nation who stayed with us over night. On the 21st we crossed the Niosho (Grand) River, stopped at Mr. Hutson's place to feed and camped at the Nephite Springs where we met Father Hawley. On Friday, August 22nd, we reached Sister Wright's place, but she was away from home. Bro. S. M. Couch and wife were

⁵These travelers were passing through the Indian Territory over the celebrated Texas Road that was later paralleled and in places occupied by the Missouri, Kansas and Texas Railroad.

stopping there and we visited them. On Saturday, Aug. 23rd, we reached the Spavenaw Mills which Bro. Croft had built for Enoch and Martin. On Sunday, Aug. 24th, we went to Bro. Burgess on Prior Creek and found them well. There we also found Bro. Wm. Ritchie and sent for Bro. William Bricker, who was sick." (Henry W. Miller's Journal, 55-64)

Monday, August 25. Henry W. Miller, having returned from his trip to St. Louis, Mo., spent the day with the Burgess family where he found letters from home, and he distributed the clothing which he had bought in St. Louis for his missionary companions. Elder Miller then spent several days in the home of Bro. Burgess, attending to the affairs of the mission. On Sunday, August 31st, he preached to a respectable congregation at the home of Mr. McNane.

Monday, Sept 1. Elder Henry W. Miller returned to the Burgess home, where he met Bro. James Case from the Creek Nation who brought the cheering news that the work of the Lord was taking root in that nation. It was a joyful meeting between the two brethren.

Tuesday, Sept. 2. Elder Henry W. Miller baptized and confirmed William Burgess who for some time had been very kind to the missionaries and had provided a home for them. He had also been a great help to the brethren in their endeavors to introduce the Gospel into the Creek Nation where part of his family resided.

Wednesday, Sept. 3. Elder Henry W. Miller rode to Bro. Joseph Burgess's home in the Creek Nation, together with Elder James Case, distance 23 miles. He found the Burgess family all well and stayed with them over night.

Thursday, Sept. 4. Elders Miller and Case traveled ten miles to the home of Henry Fenemon, who was an interpreter for a Methodist preacher and a well-educated man. The brethren had a long Gospel conversation with him and were invited to call again. They then traveled on to the home of Bro. Prince Fenemon where they stayed all night (Henry W. Miller's Journal).

Friday, Sept. 5. Elders Miller and Case traveled 15 miles to the home of Riley Fenemon and found they had gone to the camp ground where the Presbyterians were holding a camp meeting and were camping there. As it rained all night, the brethren stayed at Mr. Fenemon's place, he being a son-in-law of Mr. Burgess, and a believer.

Saturday, Sept. 6. Elders Miller and Case attended the Presbyterian camp meeting which was attended by only a few people. Nothing was said against the Saints, although the Elders had baptized several of their members.

Sunday, Sept 7. The two Elders again attended the Presbyterian camp meeting. Before these meetings broke up the following day, Elder Miller had a conversation with Mr. Lockridge, their head preacher, whom he found dishonest and corrupt^e one who would rather believe a lie than the truth. He had been in the Creek Nation twelve years and their Church numbered only 32 souls according to their yearly report. The two Elders then spent several days visiting in that neighborhood and on Friday, Sept. 12th, preached to an attentive congregation at the home of Riley Fenemon.

Saturday, Sept. 13. Elders Miller and Case baptized and confirmed John Grace and Millie his wife and Lucy Stilyards. The following Sunday the Elders preached to a large congregation at the home of Bro. Randall the Indian Chief, and administered the sacrament.

Wednesday, Sept. 17. Elders Miller and Case crossed Grand River to Mr. McNane's. Here Elder Miller was taken down with the ague and became severally afflicted. He continued sick for several days. On Sunday, Sept. 21st, a meeting was held at the home of Mr. McNane where Elder Henry Eyring and Bro. Miller preached. Elder Miller remained at the McNane home sick until Sept. 30th, when he returned to the hospitable home of Bro. Burgess, where he found Elder Case very sick and quite feeble (Henry W. Miller's Journal).

^eRev. Robert M. Loughridge was held in great esteem and reverence by the Indians for his services to them. It was he who established the Coweta Mission, and afterwards the Tullahassee Mission in the Creek Nation. His labors were responsible for the enlightenment and progress of many Creek Indians.

Sunday, Oct. 5. Conference was held at Prior's Creek in the Cherokee Nation on this and the following day, at which Bro. Henry W. Miller presided and Elder Henry Eyring acted as clerk. On this occasion the Elders had gathered from their respective fields of labor, not one of them enjoying good health, but they all gave as favorable reports of their labors as could be expected under the circumstances. Several meetings were held each day and, on Monday, Oct. 6th, the Elders received their appointments and bore strong and faithful testimonies to the truth of the Gospel. The Creek brethren voted to give Bro. James Case a horse to ride home on, as he was about to leave the mission to return to the Valley. Elder Miller nominated Elder Washington N. Cook to be his successor as president of the mission as Elder Miller had been released to return to his home in Utah. Elder Cook, who had been laboring in the Choctaw Nation, was not present at the conference, but all the rest of the Elders who belonged to the Indian Territory Mission were in attendance. The conference adjourned at 3 o'clock p. m. Oct. 6th, and many were the good wishes expressed toward Elders Henry W. Miller and James Case who were about to leave them to return to their homes in Zion. After the conference Elder Miller spent the rest of the month making farewell visits among Saints and strangers in the Cherokee Nation.

Sunday, November 2. Elder Henry W. Miller visited Bro. Jack Randall who was one of the chiefs of the Creek Nation who had been baptized by Elder Henry Eyring and ordained an Elder by Elder James Case. Here Elder Miller preached his farewell discourse to the Creek Indian brethren and sisters. He baptized and confirmed Bro. Randall's wife Rhosa. Bro. John A. Richards had accompanied Bro. Henry W. Miller from Grand River and at Bro. Randall's place they met Bro. Geo. Higginson. Bro. Miller received the horse for Bro. James Case which the Creek brethren had promised him.

Monday, Nov. 3. Bro. Henry W. Miller took leave of the Randall family and started for Grand River in company with Elder George Higginson, leaving Bro. John A. Richards who was suffering from sore eyes. Elder Miller traveled 12 miles to the cow pens where they stayed all night with Daniel Fenemon. The next day they traveled 22 miles to Bro. Burgess's on Prior

Creek. On Wednesday, Nov. 5th, they called on a Mr. Bryan and traded two steers which Bro. Croft had lost, for a pony worth \$40. They also made other exchanges of animals with Mr. Bryan.

Thursday, Nov. 6. Elder Miller returned to Bro. Burgess's and then went on to the home of Mr. McNane where he obtained a wagon and bade farewell to the family. In taking leave of Mr. McNane and family Elder Miller writes: "May the Lord bless him and family for their kindness to me while I have been with them. I was always welcome at their home from the first to the last. Although they never obeyed the Gospel, they fought for it on all occasions and urged others to embrace it. Mr. McNane's doors were always open to the Elders and I pray that he may receive his reward for this in time and eternity." Elder Miller returned to the home of Bro. Burgess where he found Elder Wm. Ritchie.

Sunday, Nov. 9. Elder Henry W. Miller spent his last Sunday at the home of Bro. Burgess with the Saints in the Cherokee Nation as he and Bro. James Case expected to leave in the morning. Elder Miller remarked that Bro. Burgess and family had done much to spread the Gospel and their doors had always been open to the Elders. In summing up his labors, Elder Miller writes: "This winds up my mission in the Cherokee Nation. I arrived on the Spavinaw River July 4, 1855. I have sent 65 souls to the Valley, all white people who were baptized in the Cherokee Nation. There is a branch of the Church on Prior Creek, another on Fourteen Mile Creek numbering 20 souls, also one in the Creek Nation numbering 50 souls. Some ten or twelve native Elders have ordained to the Priesthood and are now preaching the Gospel in the Indian Territory."

The Elders Miller and Case bade the brethren of the Prior Creek Mission farewell and departed for Council Bluffs prior to the October 1856 conference; Elder William Bricker left the Indian Territory for St. Louis and never returned.

. Afterward he denied the faith. Elders Washington N. Cook and George Higginson returned from the Choctaw Nation in October, 1856, without being able to baptize any one. After that the Choctaw Indians were left without Elders with

the exception of two trips which Elder Henry Eyring made there in the summer of 1859 without having any success apparently.

In October, 1856, an order was issued by the chief of the Cherokees for all Mormon Elders to leave the nation forthwith. Thus all the missionaries united to labor among the Creeks with the exception of Elder Wm. Ritchie, who remained among the Cherokees unmolested by avoiding public speaking. Elder Ritchie was a faithful minister to the Cherokees, and although unsuccessful in baptizing any he bore a faithful testimony to these natives. Considering his age and bodily infirmities he certainly did more labors than many others would have done under the same circumstances.

Having also been restricted in the Creek Nation only a little work was done by the Elders there during the remainder of one year, 1856. (Journal History of Aug. 31, 1860)

Monday, April 6, 1857. A conference was held in the Creek Nation, Elder Washington N. Cook presiding. Apostle Parley P. Pratt attended this conference and expressed himself satisfied with the labors of the Elders who, on this occasion, had a time of rejoicing.

Friday, September 4, 1858. President Washington N. Cook, who had won the love and respect of both Saints and sinners, died Sept. 4, 1858, of quick consumption after a short but severe illness. At a conference held in the Cherokee Nation soon afterwards, Elder Henry Eyring was nominated and sustained as President Cook's successor. A general work of reformation was then commenced and the Saints were required to renew their covenants by baptism (Journal History, Aug. 31, 1860).

In the year 1859, President Henry Eyring traveled in the Cherokee, Creek and Choctaw nations, added a number of new members to the Church and organized a branch (Lehi Branch) in the Cherokee Nation and another one (Nephi Branch) in the Creek Nation. The Lehi Branch was disorganized soon afterwards as the president and teacher emigrated to the Valley, and in May, 1860, there was only one Elder in that locality who had charge of the few remaining Saints there. The branch in the Creek Nation was still in existence in the spring of 1860, the president having charge of all the Saints in the Creek Nation.

Wednesday, Oct. 6, 1859. The number of Saints in the Cherokee and Creek Nations on Oct. 6, 1859, was about one hundred or, to be more accurate, there were 43 baptized members in the Cherokee Nation and 40 members in the Creek Nation, but out of that number only a very few were alive in the cause, the majority being careless and indifferent. The prospect of doing further good at that time was not encouraging.

In the years 1858 and 1859 the remaining few of Lyman Wight's followers from Texas located in Indian Territory. Among the number was Col. Wight's first wife who had received a letter from Sidney Rigdon in which he denounced the authorities of the Church in the Valley and prophecied evil concerning the people there. Elder Henry Eyring preached to these people in 1859, but they held stubbornly on to their own views and would not be shaken in their determination to follow their own inclinations (Journal History Aug. 31, 1860).

THE SUPREME COURT OF THE TERRITORY OF OKLAHOMA

By THOS. H. DOYLE

Under the organic act of the Territory of Oklahoma, entitled "An act to provide a temporary government for the Territory of Oklahoma, to enlarge the jurisdiction of the United States Court in the Indian Territory, and for other purposes" approved May 2, 1890. Section 9 thereof provided that the judicial power of said territory shall be vested in a Supreme Court, District Courts, Probate Courts and Justices of the Peace; the Supreme Court to consist of a chief justice and two associate justices, any two of whom shall constitute a quorum; to hold their office for four years, and until their successors are appointed and qualified, and to hold a term annually at the seat of government of said territory; the Supreme and District Courts possessing chancery as well as common law jurisdiction. Said act provided that the territory should be divided into three district court judicial districts by the Supreme Court, and one of the justices of said court, at such time and place as might be prescribed by law, to hold court in each of said districts; and provided further that each of said District Courts shall have and exercise, exclusive of any court heretofore established, the same jurisdiction in all cases arising under the constitution and laws of the United States, as is vested in the Circuit and District Courts of the United States.

Hon. Edward B. Green, of Mt. Carmel, Illinois, Hon. John G. Clark, of Lancaster, Wisconsin, and Hon. Abraham J. Seay, of Osage County, Missouri, the former as chief justice and latter two as associate justices, were appointed by President Harrison on May 14, A. D., 1890. On May 29, 1890, the Supreme Court of the Territory of Oklahoma was organized at Guthrie.

Upon the organization of said court an order was made fixing the judicial districts of the territory, as follows: The First Judicial District embracing the counties of Logan and Payne, then numbered 1 and 6, together with all the lands occupied by the Ponca, Tonkawa, Otoe and Missouri, Pawnee, and

Osage and Kansas tribes of Indians, and all that part of the "Cherokee Outlet" lying east of the range line between ranges 3 and 4 West of the Indian Meridian, and all that part of the lands occupied by the Iowa, Kickapoo, and Sac and Fox Indians lying north of the township line between townships 14 and 15 North of ranges 2, 3, 4, 5 and 6 East of the Indian Meridian.

Chief Justice Green was assigned to this district, with Guthrie, in County No. 1, (now Logan County) and Stillwater, in County No. 6, (now Payne County), as the places for holding court therein. The Second Judicial District embracing the counties of Canadian, Kingfisher and Beaver, then numbered 4, 5 and 7, together with all that part of the "Cherokee Outet" lying west of the range line between ranges 3 and 4 West of the Indian Meridian, and all the Cheyenne and Arapahoe, Wichita, Kiowa, Comanche and Apache Indian country, Judge Seay was assigned to said district, with Beaver, in County No. 7, (now Beaver County), El Reno, in County No. 4, (now Canadian County), and Kingfisher, in County No. 5, (now Kingfisher County), as the places for holding court therein. The Third Judicial District embracing the counties of Oklahoma and Cleveland, then numbered 2 and 3, together with the lands occupied by the Pottawatomie Tribe of Indians, and all that part of the lands occupied by the Iowa, Kickapoo, and Sac and Fox tribes of Indians lying south of the township line between townships 14 and 15 North of ranges 1, 2, 3, 4, 5 and 6 East of the Indian Meridian. Judge Clark was assigned to said district, with Norman, in County No. 3, (now Cleveland County), and Oklahoma City, in County No. 2 (now Oklahoma County), as the places for holding court therein.

On March 8, A. D., 1892, John H. Burford, formerly of Crawfordsville, Indiana, was appointed by President Harrison to succeed Judge Seay, who had resigned to become Governor of the Territory of Oklahoma, succeeding Governor Steele, of Indiana, afterwards congressman from that state. On May 26, 1893, Hon. Frank Dale, of Guthrie, formerly of Wichita, Kansas, was appointed by President Cleveland to succeed Judge Green, and on September 19, 1893, Hon. Henry W. Scott, of Oklahoma City, formerly of Kansas, was appointed by President Cleveland to succeed Judge Clark.

By Act of Congress of December 21, A. D., 1893, two additional judges of the supreme court of the Territory of Oklahoma were provided for, and Hon. A. G. C. Bierer, of Guthrie, Oklahoma, formerly of Garden City, Kansas, on January 17, A. D., 1894, Hon. John L. McAtee, of Maryland, on April 19, A. D., 1894, were appointed by President Cleveland to said places. Following the passage of said act the territory was, on February 3, 1894, redistricted as follows: The First Judicial District embracing Logan, Payne, Lincoln and "Q" (now Pawnee) Counties, with Judge Dale assigned thereto; the Second Judicial District embracing Canadian, Kingfisher, Blaine, Washita and "O" (now Garfield) Counties, with Judge Burford assigned thereto; the Third Judicial District embracing Oklahoma, Cleveland and Pottawatomie Counties, with Judge Scott assigned thereto; the Fourth Judicial District embracing "P" (now Noble), "K" (now Kay), "L" (now Grant), and "M" (now Woods), Counties, with Judge Bierer assigned thereto; the Fifth Judicial District embracing "N" (now Woodward), "D" (now Dewey), "G" (now Custer), Day, Roger Mills and Beaver Counties, with Judge McAtee assigned thereto.

All that portion of the Osage Indian Reservation lying south of the township line between townships 25 and 26 North, was attached to "Q" (now Pawnee) County, and that portion of said reservation lying north of said line, together with the Kaw or Kansas Indian Reservation, was attached to Kay County, and the Ponca, Otoe and Missouri Indian Reservations were attached to "P" (now Noble) County for judicial purposes.

On May 19, A. D., 1896, Hon. John C. Tarsney, of Kansas City, Missouri, formerly a member of congress from that city, was appointed by President Cleveland to succeed Judge Burford, and on September 19, A. D., 1896, Hon. James R. Keaton, of Oklahoma City, formerly of Carter County, Kentucky, was appointed by President Cleveland to succeed Judge Scott.

On February 16, A. D., 1898, Hon. John H. Burford was appointed Chief Justice by President McKinley, succeeding Judge Dale. On the same day Hon. Bayard T. Hainer, of Guthrie, now of Oklahoma City, formerly of Missouri, was appointed by President McKinley Associate Justice to succeed Judge Bierer. On March 22, A. D., 1898, Hon. B. F. Burwell, of Oklahoma City,

formerly of Kansas, was appointed Associate Justice by President McKinley to succeed Judge Keaton. On February 21, A. D., 1899, Hon. Clinton F. Irwin, of Elgin, Illinois, was appointed by President McKinley Associate Justice to succeed Judge Tarsney. On May 30, A. D., 1902, Hon. J. K. Beauchamp, of Enid, Oklahoma, formerly of Kansas, was appointed Associate Justice by President Roosevelt to succeed Judge McAtee.

By Act of Congress of May 2, A. D., 1902, the supreme court was increased by two additional judges, and Hon. J. L. Pancoast, of Blackwell, Oklahoma, formerly of Kansas, and Hon. Frank E. Gillette, of El Reno, Oklahoma, formerly of Kansas, were appointed by President Roosevelt to said places.

On June 4, A. D., 1902, the territory was divided into seven Judicial Districts, as follows: The First District embracing Logan, Lincoln, and Payne Counties, with Chief Justice Burford assigned thereto; the Second District embracing Canadian, Kingfisher, Cleveland, Washita and Custer Counties, with Judge Irwin assigned thereto; the Third District embracing Oklahoma and Pottawatomie Counties, with Judge Burwell assigned thereto; the Fourth District embracing Noble, Kay and Pawnee Counties, with the district court at Pawhuska, Osage Nation, with Judge Hainer assigned thereto; the Fifth District embracing Garfield, Grant, Blaine and Roger Mills Counties, with Judge Beauchamp assigned thereto; the Sixth District embracing Woods, Woodward, Beaver, Day and Dewey Counties, with Judge Pancoast assigned thereto; the Seventh District embracing Caddo, Comanche, Kiowa and Greer Counties, with Judge Gillette assigned thereto.

On the 24th day of April, A. D., 1906, Hon. Milton C. Garber, of Garber, Oklahoma, formerly of Iowa, was appointed by President Roosevelt associate Justice to succeed Judge Beauchamp.

At the time the territory was admitted into the Union as a part of the State of Oklahoma, the Supreme Court of the Territory of Oklahoma was composed of the following members: Burford, Chief Justice, Hainer, Burwell, Irwin, Pancoast, Gillette and Garber, Associate Justices.

The same Act of Congress, of May 2, A. D., 1890, for the organization of the Territory of Oklahoma and the creation of its judiciary, also provided for three judicial districts in the

Indian Territory, the Act of Congress of March 1st, A. D., 1889, having created a United States Court for the Indian Territory.

Chas. H. Filson, of Guthrie, Oklahoma, formerly of Indiana, was the first clerk of the supreme court of Oklahoma Territory, being succeeded by Edgar W. Jones, now deceased, of Guthrie, Oklahoma, formerly of Virginia.

Mr. Jones was succeeded by Captain Benj. F. Hegler, now deceased, of Guthrie, Oklahoma, formerly of Indiana.

Warren G. Lurty, of West Virginia, was the first Marshal of said court. He was succeeded by William Grimes, now deceased, of Kingfisher, formerly of Nebraska. Mr. Grimes was succeeded by Evitt D. Nix, of Guthrie, Oklahoma, formerly of Missouri; Mr. Nix was succeeded by Patrick S. Nagle, of Kingfisher, formerly of Kansas; Mr. Nagle was succeeded by Canada H. Thompson, of Enid, Oklahoma, formerly of Kansas; Mr. Thompson was succeeded by Wm. D. Fossett, of Kansas, and Mr. Fossett by John Abernathy, of Frederick, Oklahoma, formerly of Texas.

Charles Brown, of Kansas, was the first Attorney General of Oklahoma Territory. He was succeeded by C. A. Galbraith of Oklahoma City, formerly of Texas; Judge Galbraith was succeeded by Hon. Harper S. Cunningham, of Guthrie, formerly of Kansas; Judge Cunningham was succeeded by J. C. Strang, of Guthrie, formerly of Kansas; Judge Strang was succeeded by J. C. Roberts of Kingfisher, formerly of Nebraska; Judge Roberts was succeeded by Percy C. Simons, of Pond Creek, formerly of Kansas, and Judge Simons by W. O. Cromwell, of Enid, formerly of Nebraska.

Horace Speed, of Guthrie, formerly of Indiana, was the first United States attorney for Oklahoma Territory. He was succeeded by Caleb B. Brooks, of Oklahoma City, formerly of Kentucky, with T. F. McMechan, of Oklahoma City, and General Roy V. Hoffman, of Chandler, Oklahoma, as his assistants; Judge Brooks was succeeded by Samuel L. Overstreet, of Guthrie, formerly of Indiana, with Hon. Bird S. McGuire, of Pawnee and John W. Scothorn, of Guthrie as his assistants; Judge Overstreet was succeeded by Horace Speed, and Judge Speed by John Embry, of Chandler, formerly of Kentucky.

OLD DAY COUNTY OKLAHOMA TERRITORY

The student of Oklahoma history may look in vain to find Day County, Oklahoma, on the map. However, there was at one time a Day County. From 1892 until 1907 it was a regularly organized county functioning as other counties. When Oklahoma became a state in 1907, Day County was eliminated. The convention that framed the Constitution created a number of new counties in that part of the State that constituted the Territory of Oklahoma, but only one was wiped off the map. Day County was situated in the northwest corner of the Cheyenne and Arapahoe country and the county seat was Grand, a frontier village located on the north bank of the South Canadian river.

When the Cheyenne and Arapahoe country was opened April 19, 1892, and the counties had been designated by the Secretary of the Interior, the county was known as County "E" but at the first election the name "Day" was selected. In volumes eight and nine of the *Chronicles* is published an article entitled: "Some Remnants of Frontier Journalism," by M. A. Ranck, which tells not only of the frontier journalism, but of the struggles of the pioneer settlers on the western edge of Oklahoma. The Historical Society has some bound volumes of the *Day County Progress*—a paper printed and published at Grand for 12 years.

When the Committee of the Constitutional Convention was carving out new counties and giving them names they did not overlook the names of the members of the Convention. Nine counties, according to Charles N. Gould in his book "Place Names," bear names of members of the Constitutional Convention. There was no one by the name of Day among the membership, but there was a prominent delegate who was Vice President of the Convention, Albert N. Ellis, and there is an Ellis County, Oklahoma. Mr. Ellis was one of the leading men in the Convention and it was only proper that a county should be named for him and we have no record of a protest from the people residing in Day County.

The present Ellis County does not include all of what was Day County, as that part south of the Canadian River was attached to Roger Mills County, but to compensate the county for the loss

of territory to Roger Mills County, Ellis County was given a large slice from the west side of old Woodward County. The county seat of Ellis was located at Arnett.

While there is no Day County on the map, yet the pioneers of western Oklahoma have not forgotten its history. There was an "old settlers" picnic held at Grand, the site of the county seat of Day County, a short time ago and Mr. O. E. Null read a list of the names of the men and women who had served as County officers in Day County. We wish to preserve this list as a part of the history of northwestern Oklahoma. The *Chronicles* is indebted to W. K. Suthers for the data contained in the following list of names of those who once held office in Day County.

—D. W. P.

OFFICERS OF DAY COUNTY
OKLAHOMA TERRITORY
1892 1907

PROBATE JUDGE

Robert Alcorn	1893 to 1899
A. M. Canott	1899 to 1901
G. A. Bigelow	1901 to 1903
D. G. "Gyp" Moore	1903 to 1905
A. E. Williams	1905 to

SHERIFF

Semer Mason	1892
R. L. "Drape" Ramsey	1892
C. B. Capps	1895 to 1897
J. E. Bull	1897 to 1901
J. L. Smith	1901 to 1906
Anzly Ellis	1906 to

COUNTY ATTORNEY

W. H. Bristol	1892	
Shannon McCray	1893	
Price	E. C. Gray	
W. R. Ewing	1897	
Charles Swindall	1897 to 1898	
S. A. Miller	1901 to 1903	
J. C. Wright	1903 to 1905	
E. S. Sharp	1905 to	

COUNTY CLERK

Thomas Curtley	1892
H. I. Walck	1893 to 1899
Edson L. Mead	1899 to 1901
A. S. Burran	1901 to 1903
W. H. Mouser	1903 to

TREASURER

R. B. Ransom	1892
H. E. Downing	1893 to 1897
W. F. Burnett	1897 to 1901
David Hogg	1901 to 1903
Solomon Grim	1903 to

COUNTY SUPERINTENDENT

Clara Black	1892
Shannon McCray	
Della Cann	1897 to 1899
J. L. Mercer	1899 to 1901
Ben Bouldin	1901 A. L. Squire
W. G. Brown	1903 to 1905
T. C. Moore	1905 to

COUNTY SURVEYOR

Adams	
E. D. Walch	A. C. Wilson..... 1896
C. L. Sanford	
F. M. Sanford	
F. A. Bevins	

COUNTY ASSESSOR

E. H. Bristol	1896
G. W. Woods,	
R. A. Hutchison	

COUNTY COMMISSIONER

District No. 1	District No. 2	District No. 3
John Webb	John Reed	Chas. Blackstone
Alex Crawford	C. Blackstone	M. F. Word
Cosmo Falconer	Trav House	M. F. Word
Cosmo Falconer	J. T. House	T. H. Russell
P. H. Simpson	Geo. Carr	T. H. Russell
J. W. Young	J. B. Patton	H. D. Brown
Sam Kendall	W. T. Hart	W. H. Suthers

DISTRICT COURT DEP.

L. A. Walck	O. E. Null
O. H. Richards	C. A. Null
A. L. Squire	

U. S. COMMISSIONER

O. E. Null

NOTES

We have received a copy of the *Long Beach Reporter* containing a biographical sketch of a well known former Oklahoma citizen, who is now a resident of California. Most every one who lived in the old Territory of Oklahoma remembers L. M. Keys. He practiced law in Oklahoma City for several years but at the opening of the Kiowa and Comanche reservation he located in Hobart, the County Seat of Kiowa County. He held many positions of honor and trust while a resident of Oklahoma. He was a modest, unassuming gentleman and was recognized as an able lawyer and a man of honor who respected the ethics of his profession. His many old friends will be glad to know that this pioneer is still living and enjoying the blessings of health in that land of sunshine and flowers.

The following notes are excerpts from the biographical sketch printed in the California paper:

“Many years ago a great bard wrote “Sweet are the uses of adversity. . .” Some may doubt the statement. But Luther Morten Keys, Long Beach attorney-poet has demonstrated its truth. Instead of fretting over the decline of business caused by the depression, he has used his extra leisure to develop his poetic ability. He has written hundreds of poems, many of which have been published in various newspapers of the country, and two of them, “Magic Isles of Southern Seas,” and “Reveries in Lincoln Park” were included in the 1934 American States Anthology of Poetry.”

“Attorney Keys, whose fifty-four years of legal practice have been chock full of adventurous experiences, is a native of Indiana. He was first admitted to the bar in the Supreme Court of Kansas in 1881 at the age of twenty-three years. Three years later he was elected municipal judge of Emporia. After occupying the bench for two terms and being re-elected for a third, he followed the pioneer urge and trekked out to seek fame and fortune in the then wild West. In 1889 he settled in what is now Oklahoma City, but then was virgin land occupied mostly by Indian tribes.”

"It was no strange sight at that time," the attorney relates, "to see twenty claimants for one piece of land." "There was no law other than the Federal, which was represented by United States Commissioners and the Land Offices."

"As County Attorney and Assistant United States District Attorney of Oklahoma, Mr. Keys claims to have tried more than 100 murderers. His most sensational case, he says, was that of "Public Enemy" Frank Nash, who in 1932 was accidentally shot down by his pals as they fired on guards escorting him to Leavenworth prison. A few years before the World War Mr. Keys prosecuted Nash on the occasion of the notorious criminal's first conviction for murder. It was a particularly cold-blooded one, and Nash was sentenced to life imprisonment. He later was paroled, and his subsequent crimes shocked the country."

"Luther M. Keys was born in Hamilton County, Indiana, November 6, 1858, of Henry L. and Susan Rich Keys. He received his legal education in the law offices of Isaac Lambert, United States Attorney in the State of Kansas. He came to Long Beach, from Oklahoma, in 1925. He is a member of the California State Bar and was admitted to the Supreme Court of the United States, in Washington, in 1913. In 1884, Mr. Keys married Elfleda Norton Clark, of Missouri. Five sons were born to them, but two only are now living: Leon, a Los Angeles attorney, and Norton, who lives with his father and mother at 237 Magnolia Avenue. Attorney Keys conducts his legal business at 320 First National Bank Building."

"To glance at Mr. Keys, you would never guess him to be seventy-seven years old. His eyes are keen and alert and he expresses a youthful enthusiasm in the things that interest him. He believes that an active mind, expressed in some creative endeavor, keeps the spirit young and provides compensations for life's disappointments."

In the issue of the *Sooner State Press* of June 1, 1935, appears this item:

"A valuable and probably unique bit of Oklahoma history, a copy of the first issue of the Guthrie Getup, was discovered recently

among the effects of the late John Webster, Guthrie '89er, by the administrator of his estate. This particular issue of the *Getup*, the first newspaper published in Oklahoma, is so rare that not even the Oklahoma Historical Society has one, wrote Fred Wenner in the *Guthrie Leader*. The first number is dated April 22, 1889, which settles the controversy over the exact date of the first paper issued in the new country."

The *Sooner State Press* is in error when it states that not even the Oklahoma Historical Society has one of the copies of this paper.

The Historical Society has two copies of the "*Guthrie Getup*." Vol. 1 No. 1 was printed at Guthrie Oklahoma April 29, 1889, the salutatory reads:

"The Guthrie *Getup* prances into the promised land at the head of the procession, and issues before one week after the glorious 22d of April, 1889. Praise God all ye good people, and let these prairies resound to the measured stroke of our job press. Ah, there is the rub, if you do not give us job work we will have to go back to our wife's folk. This would place us in a d—— of a fix, as we are not married. Our last statement is especially directed to single ladies who hold corner lots."

"It shall be the endeavor of this sheet to give all the news, aye, even more. Should any man even so much as kick his dog, we will give the public an accurate estimate of the motive power used. Each political power will come in for a due amount of praise and other things. Funeral notices will be published at a discount of 60 per cent, and the correct weight of the newly born will be given. Pastors can, free of charge, look at our devil, and the W. C. T. U. is hereby approved."

"The Santa Fe has our press in soak and this accounts for our four column paper. The next issue expects to put on enlarged and more dignified pants, and then all honest and progressive means will be used to hasten the time when Guthrie will be a manufacturing capital of 100,000 people."

The Oklahoma Historical Society has had for many years a damaged copy of the first issue of the *Guthrie Getup* and last November we received another copy from Mr. C. A. Kelley of Helena, Montana.

The letter transmitting the copy was written to our late president, Charles F. Colcord, and reads as follows: "A short time back I came into the possession of a copy of the first issue of the 'Guthrie Getup.' Thinking it might be of some historical value, I am giving it to you at this time."

"Until recently it has been in the possession of my aunt, Elizabeth Cannon, who was an early settler in your country and has kept it these years as one of the souvenirs of her pioneering days."

As will be seen from the "Salutatory" copied above, this paper was not published April 22, but April 29, 1889.

It will be only fair to state that there were some three or four papers printed in Kansas dated April 22, 1889, and distributed in Guthrie, and also papers printed in Kansas and distributed in Oklahoma City, under date of April 22, 1889, but the "Guthrie Getup" seems to be the first paper actually printed in original Oklahoma after the opening day.

While the "Getup" does not give the name of the editor, or the printer, yet, the *Chronicles* is justified in stating that Will T. Little was the original publisher of the "Guthrie Getup."

NOTE

Since the publication of the account of Col. Jesse Henry Leavenworth in the March number of the *Chronicles of Oklahoma*, Mrs. Foreman informs the editors she has learned that Leavenworth was buried in Forest Home Cemetery, Milwaukee, Wisconsin. This information comes from the Bureau of Vital Statistics at Milwaukee.

MONUMENT ERECTED TO MEMORY OF MAJOR RIDGE

On the morning of April sixth, Professors M. E. Franklin and T. L. Ballenger of the Northeastern Teachers College at Tahlequah went to the Polson cemetery near Southwest City, Missouri and set a memorial marker at the grave of Major Ridge. This marker was contributed by the War Department of the Federal Government in commemoration of Major Ridge's service in the War of 1812. Mr. Ballenger and Miss Eula E. Fullerton of the History Department of Northeastern have been engaged in an extended search for Ridge's burial place for the past three or four months.

Through the initiative of Mrs. A. L. Beeson, State Historian of the Daughters of the American Revolution of Georgia, and representatives of the Georgia Historical Society, the Federal Government was recently interested in marking the graves of early Cherokees who served in the United States army and whose services had not already been recognized. Among this number was Major Ridge who served under Andrew Jackson against the Creeks in the War of 1812.

Major Ridge was killed June 22, 1839 at the same time that his son John Ridge and Elias Boudinot were killed, for the part they took in making the Treaty of 1835 with the Federal Government providing for the removal of the Cherokees to the West. While on his way to Van Buren he was shot from ambush in Washington County, Arkansas near the line of the Cherokee Nation. He was buried in the Piney cemetery, a few miles from the present site of Stilwell, in Going Snake District, Cherokee Nation, near where he was killed.

In 1861, according to the testimony of Caleb Wright, who lives at Ardmore, his remains were moved from here to some place to the northward. After questioning a large number of people both in Arkansas and Oklahoma and after piecing together the bits of evidence obtained from relatives and well-informed old people of both regions, it seems fairly certain that his remains repose in this Polson cemetery in Delaware County, Oklahoma,

two and a half miles west of Southwest City, Missouri. Within about two hundred yards of this cemetery was the home of Major Ridge's son, John Ridge, who was killed there at the time of his father's murder. Jesse Adair of Stilwell, Mrs. Mabel Washbourne Anderson of Tulsa, Mrs. J. A. Lawrence of Tahlequah, John H. Gibson of Grove, and W. F. Stevenson of Southwest City rendered valuable assistance in locating Ridge's burial place.

The marker, consisting of a white slab of Georgia marble, was set firmly in a concrete base eighteen inches thick, alongside the monument of Stand Watie, which was erected by the Oklahoma Division of the Daughters of the Confederacy. The memorial contains a plain cross within a circle, below which is the following inscription:

THE
RIDGE
Major
Morgan's Cherokee
Regt.
War of 1812
June 22, 1839

THE CHISHOLM TRAIL

The location of the famous Chisholm Trail through Oklahoma has been the subject of some controversy and misunderstanding. The cattle trail passing out by Chickasha and Kingfisher is shown on early maps as the Abilene Trail. In later years there has been an effort to identify this as the Chisholm Trail. The evidence is not all in and it should be interesting to contribute to the discussion the following newspaper article taken from the *Daily Journal* of Austin, Texas, of August 2, 1871, page 4, column 2. This article was copied from the *Arkansas City Traveler* of a slightly earlier date.—(G. F.)

For a few days we have been camped beside the Chisholm trail—one of the grand highways of the continent.

This road was established in 1866 by William Chisholm, a half-breed Cherokee. Many cattle were driven over in 1867, but in 1868 it was almost discontinued, on account of Indian depredations. In 1869 the driving was resumed with increased energy,

and the business has steadily grown to its present enormous amount.

The trail leaves Texas at the Red River station, east of Gainsville, passes through the Chickasaw nation about seventy miles east of Fort Sill, and thence runs in a nearly straight line to Caldwell, Sumner county, and Wichita.

The trail near the Salt Fork runs over dry plains, where the soil is red clay and sandstone, the vegetation, buffalo grass, and the water runs in chains of pools, strongly tintured with oxide of iron, and along the river with salt and alkali. The grass for a great distance on each side of the trail is eaten off and covered with dust, and the water is indescribable.

The scene is a strange and picturesque one. The great herds, numbering from 500 to 3,000 head, sweep by incessantly, mostly long-horned, bony steers, three or four years old. The drivers are miscellaneous in appearance. Broad-hatted Texans, quick with the trigger, ignorant, choleric, and much given to the grosser vices; and yet possessing a sub-stratum of kindness and sound sense. Swarthy greasers, a mixture of Spanish with Indian and negro blood, dark, sullen, and sinister looking negroes, Indians and speculating Yankees, complete the list. All look worn and sunburned from their long exposure to the elements, and all are insanely hungry for whisky. Considering that these men have lived on fried bacon, coffee, and a villainous sort of bread, baked in skillets, ever since leaving Texas, their passion for whisky is not so wonderful. But the laws of the United States are strict and stern, the precious beverage, a very vile variety of it, is only obtained in smuggled bottles, that are like angel's visits to the thirsty soul—few and far between. However, on arriving at the little town of Caldwell, just above the State line, the discipline relaxes. According to trustworthy reporters, this village has four business houses. One is devoted to the sale of whisky alone; two others to whisky and groceries, and one, kept by a woman, for the sale of bread and whisky.

The amount of this traffic is something wonderful and incredible. At the date of our visit, the number of cattle that had passed up the trail, by actual register, exceeded 290,000 mostly beef steers. The drive for this year will be over 400,000 head,

valued at not less than six millions of dollars. Most of these cattle are bound for Abilene, though many go to Colorado, and shipping them at Newton, on the A. T. & S. Fe Railroad, has vigorously commenced.

Meanwhile, the L. L. & G. Railway promises to be running to the State line, at the Cana, in thirty days, and is trying to obtain its share of the great traffic.

The Chisholm trail is paved with bones. Many cattle and horses die on the journey, and are devoured by buzzards as they lie. The half dried, half devoured carcasses of buffalo, and skulls innumerable strew the track. There is no law on the trail, except the hair trigger, and many graves line the road. Nevertheless, to the orderly and well disposed observer, this road is probably safer than the streets of Chicago after midnight, and the lover of the novel and picturesque can hardly find a better post of observation than the Chisholm trail.

The Missouri, Kansas and Texas Railroad was conceived as an instrument for appropriating the vast country through which it ran as tributary trade territory to St. Louis. This undertaking was viewed with disapproval by commercial interests in sections that had similar designs on this undeveloped territory. This attitude is illustrated in the following sketch copied from the *New Orleans Price Current* in the *Daily Journal* of Austin, Texas, July 25, 1871, on page 4.—(G. F.)

The Missouri, Kansas and Texas Railroad is pushing toward Texas every day, and will soon give St. Louis direct rail connection with Austin, and all the magnificent bottoms and fertile uplands of Eastern and Central Texas. This railroad is now at Fort Gibson and will next month enter our State. New Orleans watches this enterprise with jealous interest, and the *New Orleans Price Current* thus remarks:

The true pioneers are those who furnish capital to build railroads and thus plant population and develop values which secure to civilization and industry a new area of freedom. The comparative agency of politics and capital in occupying a country is shown by the extraordinary progress of the Missouri,

Kansas and Texas Railroad. This road is completed within a few miles of Fort Gibson, on the Arkansas River, and in the Indian Territory. Its equipments consist of twenty-four locomotives, twenty-three passenger cars, ten baggage cars, three hundred flat cars, two hundred and fifty cattle cars, thirty-two other cars, and a large number more of all classes. St. Louis has thus sent her practical pioneers five hundred miles through Kansas, and they are advancing at the rate of a mile of track per day. The number of ties are 2700 per mile. The ties being in place, the rails are put down and spiked for short distances at the ordinary gait of a stout man's walk. The track laying force employ 190 men. When we are told that on 95 per cent. of the entire line south from Chetopa to the Canadian river there was no curve shorter than one degree, and remember that this is the character of the whole country down to Galveston, we may calculate exactly how long it will require St. Louis to extend this connection to Houston. The distance being about six degrees of latitude would require about four hundred working days, or about one year and one-third, if there were no other road company working in Texas to facilitate the connection by constructing a road to meet it. This would make St. Louis arrive at Houston, Texas, about September, 1872. Our people regard this invasion of our territory very much as they do the rise of the water in the submerged district of our city. The rapid and irresistible progress of the railroad has planted an incredible number of villages along the line, varying in population from five hundred to two thousand five hundred. It has also developed the mineral productions of the country in a remarkable degree. Our ancestors and theoretical writers have made the great mistake of supposing that mere territory could exercise rights. This depended on the people who should go to inhabit the territory, and who were never *ascriptae glebae*—bound to the soil, like the serfs of the middle ages. St. Louis will very probably plant along the line to Texas a population who will look to her for trade and capital. We may alone counteract this exclusive control of a territory we have always looked upon as our own by opening new avenues of access to them, and offering higher attractions than other cities to trade with and visit New Orleans.

To one who wonders what care the soldiers at Fort Gibson took of their personal appearance, ninety years ago, a recent disclosure from early records will be illuminating. This is a long inventory of merchandise of the stores of the sutler in Fort Gibson in 1845; it was submitted to the commandant for the purpose of establishing the prices at which these articles might be sold to the soldiers. The following is about one-sixth of the total list, but illustrates the character of merchandise sold by the sutler:

Cigars, shaving boxes, round shaving soap, transparent soap, flotant soap, chrystalline wash balls, whisker pomatum, spontaneous compound, oleophane, bear's oil, philcome, fancy soap, perfume boxes, fancy cologne water, round cologne water, farina cologne water, prevost cologne water, red and white powder, sweeping brush, clamp brush, horse brush, shoe brush, counter brush, hat brush, hair brush, wall brush, cloth brush, shaving brush, teeth brush, ivory brush, nail brush, violin strings, razor strops, mirrors, shirt butts, cotton purses, silk purses, pencil cases, whalebone, suspenders, snuff boxes, necklaces, guard chains, fishing lines, flasks, thimbles, court plaisters, hooks and eyes, silk guards, pocket combs, English combs, dressing combs.

BOOKS RECENTLY ADDED TO THE LIBRARY

The following list of books has been catalogued and placed in the library of the Oklahoma Historical Society since the list published in the December number of *Chronicles*.

American Book-Prices Current, 1934

American Statesmen Series, 12 vols.

Augusta County, Virginia, First Marriage Records, 1785-1813.

Baker, George E., *Works of William H. Seward*, 3 vols.

Bass, Sam, *Life and Adventures of*.

Boatright, Moody C., *Tall Tales from Texas Cow Camps*.

Boyd, Thomas, *Simon Girty, the White Savage*.

Bruce, Phillip Alexander, *The Virginia Plutarch*.

Chronicles of America, 2 vols.

Cabot, Frederick C., *Alamo, the Altar of Texas Liberty*.

Connelley, Wm. Elsey, *Doniphan's Expedition and the Conquest of New Mexico and California*, 1846-7.

Cooke, John E., *Life of Robert E. Lee*, 1875.

Cox, James, *The History of St. Louis, Old and New*.

Curtis, Francis, *The Republican Party, the First 50 Years*, 2 vols.

Dalton, Emmett, *When the Daltons Rode*.

Drumm, Major Andrew, 1828-1919.

Eastman, S., *Map of Nebraska and Kansas Territory, showing the Indian Reserves According to the Treaties of 1854*.

Edmonds, George, *Facts and Falsehoods Concerning the War of the South*.

Fagan, W. L., *Southern War Songs*.

Fitzpatrick, (Broken Hand) *Chief of the Mountain Men*.

Foote, H. S., *War of the Rebellion*, 1866.

Greene, George Washington, *Life of Nathaniel Greene*, 1867, 3 vols.

Gue, Benj. F., *History of Iowa up to the 20th Century*, 4 vols.

Hildebrand, Samuel S., *Autobiography of, (Missouri Bushwhacker)*

Hodgson, Joseph, *The Cradle of the Confederacy*.

Howell, Clark, *History of Georgia*, 4 vols.

Hyde, George E., *The Pawnee Indians*, part 1, 1500-1680.

Irelan, John R., *History of U. S. Administrations*, 16 vols.

Lee, *The Final Achievement*, 1865-1870.

Lewis, Virgil A., *History of the Battle of Pleasant Point*, W. Va.

Lyman, Robert, *The Beecher Island Annual*, 62d Anniversary.

Lynch, John H., *The Facts of Reconstruction*.

Maclean, J. P., *Account of the Settlements of Scotch Highlanders in A.*

Marquis, Thomas B., *A Warrior Who Fought with Custer*.

Morton, O. F., *History of Rockbridge County, Va.*

National Portrait Gallery of Distinguished Americans with biographical Sketches. 4 vols.

Otken, Charles H., *The Ills of the South*.

Parton, James, *The Life of Horace Greely*.

Pike, Zebulon Montgomery, *Explorations Through the Western Territory of North America*.

Pocahontas, Alias Matoka and Her Descendants.

Southwest Historical Series, Vol. 3.

Waddell, Alfred Moore, *History of New Hanover County and the Lower Cape Fear Region*, 1723-1800.

Waldo, S. Putnam, *The Life and Character of Stephens Decatur*.

Wood, Edgar, *Albemarle County in Virginia*.

Books by Oklahoma Authors.

Chambers, Henry T., *Young Man's Country*.

Conner, Aletha S., *Pisces Child*.

Fowler, Oscar Presley, *The Haskell Regime*.

Groseclose, Elgin, *Money the Human Conflict*.



Upper picture taken on old High Springs Council Grounds,
May 10, 1935.

Lower picture taken at the grave of Chief Isparhecher.

ANNUAL MEETING OKLAHOMA HISTORICAL SOCIETY

May 10-11, 1935

Okmulgee, Oklahoma

The annual meeting of the Oklahoma Historical Society convened May 10, 1935, at Okmulgee, Oklahoma, as per resolution of the Board of Directors, adopted at the meeting held January 24, 1935.

At 1:00 P. M., the delegates assembled at the Old Creek Council House for registration, after which they were taken on a trip that included the grave of Isparhecher, one of the most famous of the Creek Chiefs; New Town Indian Church and the High Springs Council Grounds.

At 8:00 P. M. an open meeting was held in the M. E. Church, South, with Judge Thomas H. Doyle, President, presiding. Invocation by Dr. M. L. Butler.

Appropriate historical addresses were given by Dr. Grant Foreman, Dr. E. E. Dale and Judge Baxter Taylor.

Dr. Emma Estill-Harbour, Vice President of the Society and head of the department of History of the Central State Teachers College, at Edmond, was introduced.

A reception for the visitors was held in the Old Creek Council House, sponsored by the local chapter of the D. A. R.

May 11th: the meeting was held in the Old Creek Council House, with Judge Thomas H. Doyle, President, presiding.

Prayer by Rev. W. M. Rader, pastor of the M. E. Church, South, of Okmulgee.

Address of welcome was given by Judge A. D. Cochran of Okmulgee.

Mr. E. K. Wood, Dean of the Junior College, Okmulgee, represented the Mayor.

Sen. Harry O. Glasser, of Enid, responded in behalf of the Society.

A violin solo was rendered by Mr. George Clarke, accompanied by Merle Walker.

Judge R. L. Williams reported that Senate Bill No. 68, providing for the Ft. Gibson Stockade Commission, had been passed by the legislature and signed by the Governor; and moved that the Oklahoma Historical Society recommend for approval of the Governor Dr. Grant Foreman, of Muskogee, as a member of the Ft. Gibson Stockade Commission. Motion was seconded and unanimously carried.

Mr. George Rainey, of Enid, introduced Sen. Harry O. Glasser, who tendered an invitation to the Society to hold its annual meeting in 1936 in Enid.

The Secretary presented an invitation from the Chamber of Commerce, and the President of the Oklahoma College for Women to hold the next annual meeting of the Society at Chickasha.

Judge Thomas A. Edwards moved that the invitation to hold the annual meeting of the Society at Enid, in 1936, be accepted. Motion was seconded and unanimously carried.

Judge R. L. Williams moved that we express the regrets of the Society that its annual meeting cannot be held at two places, and that Chickasha be invited to renew its invitation for 1937. Motion was seconded and carried.

Mr. George Rainey, President of the Cherokee Strip Historical Society, expressed the thanks of that organization for accepting its invitation to hold the annual meeting of the Society in 1936 in Enid.

George Riley Hall, editor of the *Henryetta Free-Lance*, recited an original poem, and by request also recited his poem entitled "The Land of the Mistletoe."

Miss Eula Fullerton, of the faculty of the Northeastern State Teachers College, at Tahlequah, told of the work being done to preserve the history of the Cherokee Nation, especially in the way of collecting old letters and journals.

Judge Orlando Swain, Secretary of the Creek Indian Memorial Association, presented the following students from the Manual Training Department of the Okmulgee High School:

Kenneth Dickerson, who presented a gavel to Judge Thomas H. Doyle; James Southern who presented a cane to Judge R. L. Williams; and J. C. Johnson, Jr., who presented a book rack to Dr. Grant Foreman.

The wood, from which these articles were made, was salvaged from an old Indian district court house of the Okmulgee District of the Creek Nation, built in 1885.

Dr. Grant Foreman presented the manuscripts of historical papers written by students of the Okmulgee High School, and made special mention of the one written by Mace Davis on Chitto Harjo.

Judge R. L. Williams moved that the article on Chitto Harjo, by Mace Davis, be published in *Chronicles of Oklahoma*. Motion was seconded and carried.

Judge R. L. Williams moved that the other papers be published in *Chronicles* as far as practical, subject to the approval of the committee on publication. Motion was seconded and carried.

Judge R. L. Williams moved that we thank the citizens of Okmulgee, the Superintendent of Schools and teachers and the Creek Indian Memorial Association for the manner in which they had taken part in the annual meeting of the Historical Society. Motion was seconded and carried.

Upon motion of Judge Baxter Taylor, the meeting stood adjourned.

Buffet luncheon was served to the visitors by the Y. W. C. A. girls.

Judge Thomas H. Doyle, President,
Presiding.

Dan W. Peery, Secretary.

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS,

April 25, 1935.

The regular quarterly meeting of the Board of Directors of the Oklahoma Historical Society was held in the Historical building, Oklahoma City, Oklahoma, April 25, 1935, at 10:00 A. M. with Judge Thomas H. Doyle, President, presiding.

The Secretary called the roll which showed the following members present:

Judge Thomas A. Edwards, Judge William P. Thompson, Dr. Emma Estill-Harbour, Mr. Jasper Sipes, Mrs. Frank Korn, Judge Thomas H. Doyle, Mrs. Roberta C. Lawson, Judge R. L. Williams, Mrs. Blanche Lucas, Dr. Grant Foreman, Judge Samuel W. Hayes, Gen. William S. Key, Judge Harry Campbell, Judge Baxter Taylor, Mrs. John R. Williams and Dan W. Peery, the Secretary.

The secretary read letters explaining the absence of Dr. E. E. Dale, Mr. George H. Evans and Col. A. N. Leecraft.

Upon motion of Judge Harry Campbell their absences were excused by unanimous vote of the directors.

At the request of Dr. Grant Foreman the reading of the minutes of the previous meeting of the Board of Directors held January 24, 1935, was dispensed with.

Judge R. L. Williams requested that part of the minutes relating to his donations to the Society be corrected to read that copies of the letters were presented to the Society, which correction was accepted upon motion of Mrs. Frank Korn.

The Secretary read his report on the activities of the Society for the first quarter ending April 25, 1935.

Judge R. L. Williams reported that Mrs. Jessie R. Moore, the treasurer of the Society, had telephoned that she would be unable to be present, and moved that her absence be excused. Motion was seconded and carried.

Judge R. L. Williams also explained that Mrs. Jessie R. Moore reported that the roof on the old Chickasaw council house, which is being restored, had been torn off in a storm, which would necessitate extra funds, and he moved that an additional \$50.00 be set aside out of its private funds to provide for replacing the roof and making other necessary repairs. Motion was seconded and carried.

Judge R. L. Williams reported that Senate Bills Nos. 38 and 39, relating to the Historical Society, had been passed and signed by the Governor, fixing the positions and salaries of the employees of the Historical Society, and defining its authority.

Dr. Grant Foreman presented Dr. Forrest Clements, head of the Anthropological Department of the University of Oklahoma, who made a report on preserving historic mounds in the eastern part of the State,

and explaining the necessity of securing more funds for leasing the sites on which these mounds are located.

Judge R. L. Williams moved that an additional \$150.00 be allowed, out of the Society's funds, making a total of \$450.00 to acquire the site on which these historic mounds are located for archaeological development, title to be approved by Judge Samuel W. Hayes before any money is paid out, and allocation of artifacts to be subject to the approval of this Board of Directors. Motion was seconded by Dr. Emma Estill-Harbour.

Judge R. L. Williams moved to amend, providing that the title and assignments be made to the Oklahoma Historical Society; and if the developments and explorations are made by the Oklahoma Historical Society and the University of Oklahoma that the artifacts be held jointly and divided between them. The amendment was accepted and the motion as amended was carried.

Judge R. L. Williams moved that a committee of five be appointed by the Chair to take charge of this matter of mounds and negotiate with the Park Commission relative to securing these sites for a state park. Motion was seconded and carried.

The Chair appointed on this committee Judge Thomas A. Edwards, Judge Harry Campbell, Dr. Grant Foreman, Gen. William S. Key and Judge R. L. Williams.

Judge R. L. Williams moved that Dr. Forrest Clements be made an official aid to this committee to contact the Park Commissioners. Motion was seconded and carried.

The Secretary read a letter from Governor E. W. Marland presenting his painting of the Indian Pageant, which now hangs in the art gallery of the Historical building, to the Historical Society.

Dr. Emma Estill-Harbour moved that the Board of Directors of the Oklahoma Historical Society accept the painting and in appreciation of this gift the Board of Directors extend to Governor Marland a vote of thanks and tender him a life membership in the Oklahoma Historical Society. Motion was seconded and unanimously carried.

The Secretary exhibited a silk state flag, the gift of Mr. and Mrs. A. D. Young, of Edmond, Oklahoma.

Dr. Emma Estill-Harbour moved that the gift be accepted and that a vote of thanks be extended through the Secretary to Mr. and Mrs. A. D. Young. Motion was seconded and carried.

Dr. Grant Foreman made a report on the Indian archives that had been transferred to the Historical building and moved that an additional section of shelves be put up in the room set aside for these records. Motion was seconded and carried.

Dr. Grant Foreman discussed other Indian archives that could be secured and moved that a sum not to exceed \$50.00 from the extra help funds (Acct. No. 12) be made available to pay the salary and expense of Martha Buntin to assemble these records and have them shipped to the Historical building. Motion was seconded and carried.

Dr. Grant Foreman reported on the work that has been done at Fort Gibson with the help of Mr. F. A. Todd.

Judge R. L. Williams moved that the Society extend a vote of thanks to Dr. Grant Foreman and Mr. F. A. Todd for their work in rehabilitating the old barracks building and their success in collecting money to carry on this work, and that they be furnished a copy of this resolution. Motion was seconded and carried.

Dr. Grant Foreman gave a report on his trip to Fayetteville, Arkansas, February 5-9, 1935, to make a survey of the historical material in the Washington County Court House, and the Arkansas State University at Fort Smith relative to the Ridges and Stand Watie, and other matters of historical interest; and presented a copy of this survey to the Historical Society.

Dr. Grant Foreman told of his recent visit to the U. S. Battleship Oklahoma, and moved that a set of *Chronicles of Oklahoma* be presented to the officers of the U. S. Battleship Oklahoma for its library, to be the property of the Battleship Oklahoma. Motion was seconded and carried.

Dr. Grant Foreman read the following resolution in regard to indexing the newspapers and moved its adoption:

WHEREAS, the Federal Government has made available funds for employing persons in indexing newspapers, making extracts from historical documents and engaging in other work relating to the field of libraries and historical societies.

NOW THEREFORE, BE IT RESOLVED, By the Board of Directors of the OKLAHOMA HISTORICAL SOCIETY, that it is the sense of this board that application should be made to the proper officials for the allotment of funds of that character for the employment of such service in connection with the indexing of the newspapers of this Society, the copying in whole or in part of historical manuscripts in this state, and for such other work as may properly come within the purview of the allotments available from the Government. Motion was seconded and carried.

Dr. Grant Foreman presented to the Society some pictures the gift of Samuel Worcester Robertson, brother of Hon. Alice M. Robertson.

Judge R. L. Williams moved that they be accepted and that the secretary convey the thanks of the Historical Society to Mr. Robertson for this donation. Motion was seconded and carried.

Mrs. John R. Williams moved that the minutes be corrected to show that Mrs. Kate McClendon was elected a life member of the Society at the last meeting of the Board of Directors, and that a vote of thanks be tendered to her for her valuable contribution to the museum. Motion was seconded and carried.

Mrs. John R. Williams moved that all members of the Board of Directors donate their portraits to be hung in the building, and that the secretary be directed to write to each living member and the families of deceased members, and solicit said portraits. Motion was seconded and carried.

Mrs. John R. Williams reported on the request of the Board for the portrait of Gov. E. W. Marland, stating that just at present the Governor had none available.

Mrs. Blanche Lucas tendered to the Society a portrait of Gov. E. W. Marland, which tender was accepted.

Mrs. Virgil Browne, state historian of the Daughters of the American Revolution was introduced and presented the request of the D. A. R. to

install a bookcase in the library with their state genealogical records to be kept therein.

Judge R. L. Williams moved that space be set aside in the library for this case with the records of the D. A. R., but with the understanding that the Society would not be liable for any loss. Motion was seconded and carried.

Mrs. Frank Korn reported on the furnishing of the room set apart for the women's patriotic and club organizations.

Mrs. Fred Neff, State Regent of the D. A. R., requested the use of the room set apart for the women's organizations for the meetings of the D. A. R.

Judge R. L. Williams moved that the D. A. R. be permitted to hold their meetings in the room set apart for women's organizations. Motion was seconded and carried.

Mrs. Virgil Browne requested the Board to supply the D. A. R. Headquarters at Washington, D. C. with material on Oklahoma.

Judge R. L. Williams moved that the D. A. R. Headquarters at Washington, D. C. be put on the mailing list to receive copies of *Chronicles of Oklahoma* as they are issued. Motion was seconded and carried.

The Secretary presented the following list of applicants for annual membership in the Oklahoma Historical Society:

W. B. Armour, Okmulgee; R. E. Baker, Tulsa; Guy B. Blakey, Okmulgee; Donald Bond, Chickasha; R. H. Brett, Ardmore; Mrs. Ralph S. Brown, New York City, N. Y.; J. P. Byrd, Jr., Tulsa; Wallace Campbell, Oklahoma City; Mrs. J. B. Culwell, McLoud; Wavel Davis, Tulsa; Thomas J. Dee, Oklahoma City; Fred Downs, Tulsa; J. Perry Eads, Okmulgee; Mrs. Jennie M. Elrod, Okmulgee; Mrs. F. A. Englehart, Oklahoma City; Dr. H. B. Fuston, Bokchito; Ervin D. Gibson, Chicago, Illinois; Mrs. J. J. Glaser, Alva; Judge N. B. Johnson, Claremore; Ray S. Kayler, Alliance, Ohio; C. S. Maupin, Oklahoma City; Thomas H. Mitchell, Morris; Earl Nesom, Okmulgee; Alvia G. Nichols, Okmulgee; Judge A. S. Norvell, Wewoka; L. G. Owen, Tulsa; Paul P. Pinkerton, Sand Springs; Mrs. Joseph I. Pitchford, Okmulgee; Dr. W. B. Putman, Carnegie; Charles L. Roff, Durant; John T. Stewart, Wellington, Kansas; Mrs. F. E. Stickle, Tulsa; Fred J. Stubbs, Oklahoma City; Mrs. L. E. Tamm, Muskogee; Dr. Virgil M. Wallace, Morris; Elmo Scott Watson, Chicago, Illinois; Clarence R. Wharton, Houston, Texas; Mrs. Sallie C. Wheeler, Oklahoma City; J. Bruce Wiley, Norman; Allan Wilson, Fayetteville, Arkansas; T. H. B. Williams, Oklahoma City.

Upon motion, duly seconded, they were received into membership of the Society.

Judge Thomas A. Edwards moved that the Board of Directors go into executive session to determine the matter of employees of the Society. Motion was seconded and carried.

JUDGE THOMAS H. DOYLE, President,
Presiding.

DAN W. PEERY, Secretary.

JAMES MONROE HALL

1851 — 1935

By HARRY CAMPBELL

James Monroe Hall was born December 4, 1851, at or near Belfast, Tennessee, one of nine children of Doctor Hugh A. Hall and Elsie Ramsey Hall. Mr. Hall and his wife raised five children, Mrs. A. E. Bradshaw, Mrs. Fred Dunn, Mrs. Juanita Scott, and a son, Harry Hall, all of Tulsa. Another son, Hugh Hall, was killed a number of years ago in a railroad accident. Mr. Hall died in Tulsa, Oklahoma, May 26, 1935. He was educated at Union Academy in Marshall County, Tennessee.

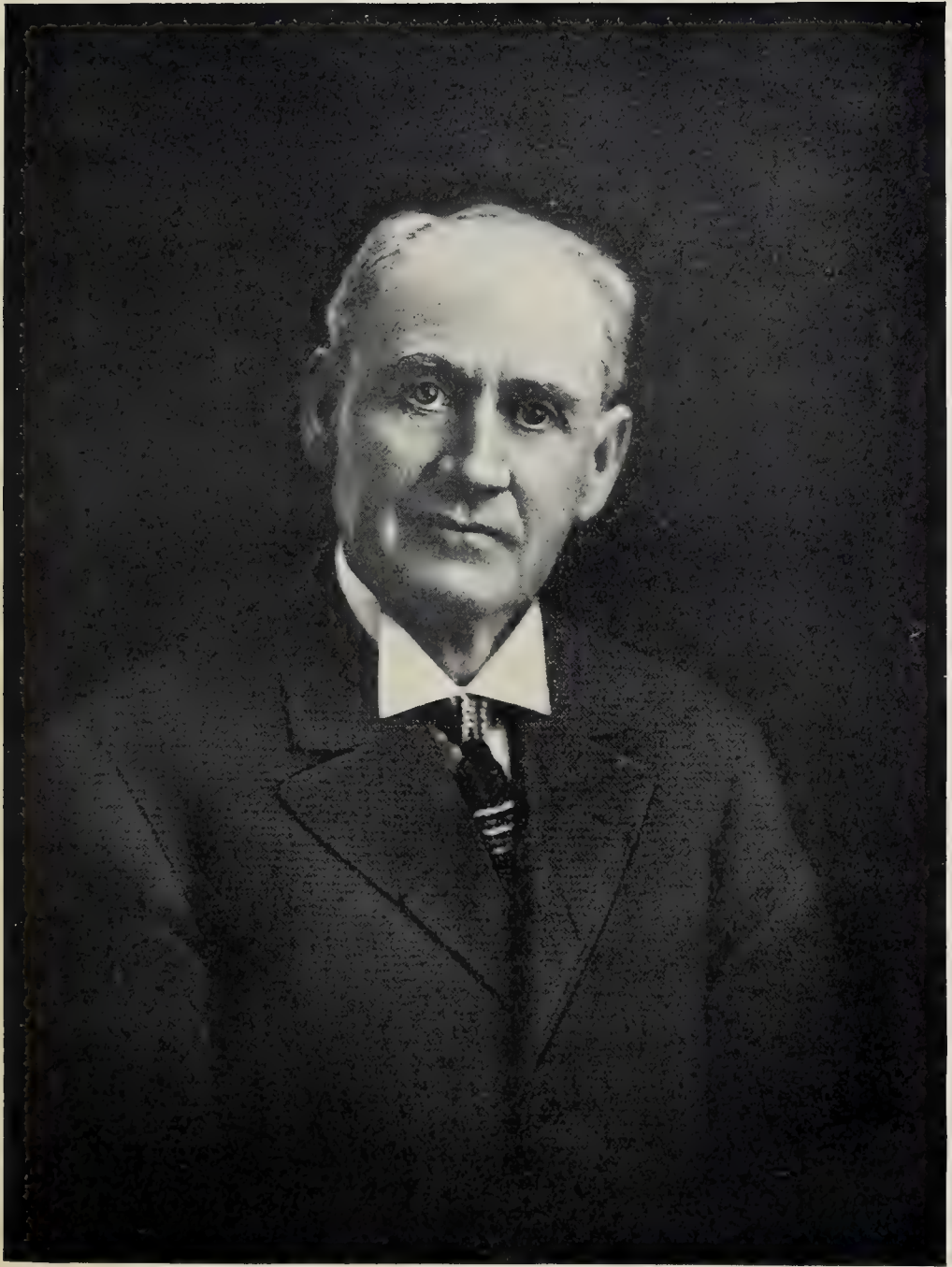
When he was about 17 years old he moved to Oswego, Kansas, where an older brother, Harry C. Hall, lived. In 1872 he went to McAlester, Oklahoma, where he took charge of a store furnishing supplies to a coal mine near that place and ran this store for about three years, when he returned to Oswego. Here he engaged in the grocery business until the year 1882, when he went to Vinita to take charge of the commissary furnishing supplies to the men constructing the Atlantic & Pacific Railway (now the St. Louis & San Francisco Railway), which was being built Southwest from Vinita. Later in the same year Mr. Hall moved to the present townsite of Tulsa just ahead of the railroad, and with his brother, Harry C. Hall, started the first store in Tulsa in a tent. Later they erected the first store building on the present townsite of Tulsa.

From that time on the history of the growth and development of Tulsa is largely the history of the activities of Mr. Hall. He continued in the mercantile business until 1903, when he sold out and engaged in the banking business for a number of years. After selling out his banking business he engaged in the real estate business for some years and was instrumental in platting a number of additions to the City of Tulsa and selling the lots.

Mr. Hall, from the time he first came to the present site of Tulsa, took an active and conspicuous part in all civic affairs and activities pertaining to the growth and welfare of Tulsa. He was instrumental in having the townsite surveyed and the streets laid out in 1883. He was instrumental in having a post-office established in Tulsa in 1883 and was the first postmaster.

Mr. Hall was a member of the Presbyterian Church, and with a Mrs. Slater, wife of a carpenter engaged in building the first railroad depot at Tulsa, and Doctor W. P. Booker, established the first Sunday School in Tulsa in 1883. Mrs. Slater was a Congregationalist and Doctor Booker a Baptist, and until 1885 this Sunday School was conducted as a Union Sunday School. It was first held in a tent where Mrs. Slater lived and later in various residences.

In 1884 Mr. Hall was instrumental in having the Presbyterian Home Mission Board with headquarters in New York erect a mission and school building on the present site of the Mid-Continent corporation building at what is now Fourth and Boston Streets. The Sunday School was held in that building and in 1885 the name was changed to First Presbyterian Sunday School. Mr. Hall was chosen the first superintendent of this Sunday School and continuously held the position of superintendent for thirty-three years.



JAMES MONROE HALL

He was instrumental in having a school opened in the mission building, to which all children of the community were entitled to attend, a portion of the expense being paid by the Presbyterian Home Mission Board and partly by subscription paid by the parents of the children attending. This school was continued until the establishment of a public school in 1899.

The first sermon ever preached in Tulsa was preached from the front porch of the Hall store in 1883. Mr. Hall was largely instrumental in organizing the first church in Tulsa, the First Presbyterian Church in 1885. He was an active Elder in this church from its organization until he died.

In 1889 Mr. Hall, with Jay Forsythe and Joseph Price, other farseeing and enterprising business men of Tulsa, purchased the block of ground where the mission school was established from the Presbyterian Board for the purpose of holding same for public school purposes. They held title to this block of ground until the City of Tulsa was able to repay them the purchase price, when they deeded the block to the City of Tulsa for school purposes. At this time, situated on this block of ground is the Mid-Continent, Atlas-Life, Philtower, Municipal and other buildings, but the title to a large part of the block is still held by the school district of Tulsa, who collects rents from the owners of these buildings.

In 1889, through Mr. Hall's influence the town council of Tulsa passed an ordinance establishing a public school system, and Mr. Hall was chosen President of the first school board.

Mr. Hall was also largely instrumental in 1902 in organizing the First Commercial Club of Tulsa, now the Chamber of Commerce of Tulsa, and was its first President. He continued his membership until his death.

In 1921 he and other pioneers organized the Tulsa Association of Pioneers and for a number of years was President of the association, retiring as President just a few days before his death.

He was a Democrat in politics, and while he never sought political office he was always watchful and active in endeavoring to see that good men were selected for office.

He headed the delegation from Tulsa to the Democratic Territorial Convention at Ardmore in 1900, which was held to select delegates to the National Democratic Convention of that year. There was a split in the convention and two delegations were elected to the national convention and both were seated. Mr. Hall and a number of other leading citizens of the territory were chosen as a committee or commission to iron out the difficulties and establish harmony and peace in the Democratic party of the Indian Territory. This was finally accomplished satisfactorily. As far as the writer knows, Judge R. L. Williams of Durant and Mr. Robert L. Lunsford of Cleveland are the only living members of that committee.

JOHN ROBERT WILLIAMS

1866 — 1931

John Robert Williams was born at Tyler, Texas, October 30, 1866 and died at his home in Oklahoma City, February 26, 1931. He was the son of William Allen and Elizabeth Murphy Williams.

His father was a native of Texas and was from an old Southern lineage, his grandfather having come from North Carolina to Texas at an early day. His grandmother was a native of Alabama.

John R. Williams was the oldest of a family of seven children: Three sisters, Mrs. Minnie Bramlette, Mrs. Annie Laurie Bass and Mrs. Lorainne Allen, all of Dallas, Texas, and three brothers, Wynn Williams, H. W. Williams, of Oklahoma City, and W. A. Williams, Jr., San Antonio, Texas. The mother, Mrs. W. A. Williams, sr., is still living.

William Allen Williams, father of John R. the subject of this sketch, was a man of intellectual strength, highly educated and well to do financially. He had great executive ability and was a natural leader wherever he resided. He was engaged in the banking business at Greenville, Texas, for many years and was interested in lands and the cattle business. His son, John R. Williams, attended the public school and also took a course of study at Dr. Franklin's Academy at Pilot Point, Texas, a private school. Being a young man of high blood; imbued with the spirit of adventure, the tedious humdrum of office work had no appeal for him. The life of the cowboy and the freedom of the prairies allured him to join these free riders of the plains. His natural business sagacity also told him there was money in the cattle business and he wanted to identify himself with this great industry.

John R. Williams's first experience in the cattle business was in 1884. His father had become largely interested financially in a cattle ranch with headquarters near Doan's Crossing on Red River, sometime before. The ranch was known as the "Block Bar Ranch" with this brand .

This was his opportunity and with the consent of his father he sought employment on this ranch where he developed into a real cattle man. It was here on his father's ranch that he became acquainted with "Bat" Masterson, a well known officer and western character who died in New York several years ago. Masterson was working on an adjoining ranch and he and young Williams became fast friends. John R. did not devote his entire time to ranching but he kept in touch with his business interests in Texas and kept himself informed on all public questions including political events. Later he was appointed United States Commissioner under Judge C. B. Kilgore of the Indian Territory Court, with headquarters at Ryan. He held Commissioners Court from Chickasha south to Red River. He served as United States Commissioner during the Cleveland administration.

In 1894 John R. Williams returned to Oklahoma Territory, and again went into the cattle business. He established a ranch on Cobb Creek on the west line of what is now Caddo County. His ranch headquarters was only a few miles south of the Segar Colony Indian School and his brand was I-H, although he afterwards acquired several other brands. The opening of the Wichita, Kiowa and Comanche reservations caused



JOHN R. WILLIAMS

great financial loss to all cattlemen who occupied the country and used it for pasture as the cattle had to be moved off the reservations before it could be opened to settlement. The order removing the cattle meant financial disaster for those engaged in the cattle business—it broke many of them as they had to throw great herds of half fat cattle on the market to be sold at any price.

When the Kiowa and Comanche country opened in the fall of 1901, John R. Williams was fortunate enough to draw a claim on which he filed his homestead right two miles southwest of Gotebo. There he established his home and made improvements on his claim. The county had been organized and the full quota of county officers had been elected. The man who was elected County Treasurer, Tom Finley, died the second year after the opening and Mr. Williams was appointed to succeed him as treasurer of Kiowa County and he left his claim and located in Hobart, the county seat. While in Hobart he also engaged in other business, being part owner of the Kiowa County Abstract Company.

From Hobart Mr. Williams moved to Oklahoma City in 1910. In the race for governor the fall of 1910, Lee Cruce appointed John R. Williams manager of his campaign. Governor Lee Cruce being the successful candidate, appointed John R. Williams secretary to the School Land Commission, a position he held for four years. This was a very responsible position as the secretary had the management of the public lands of the state and the public school funds, it was through this department that the school lands were leased and the school funds loaned, taking real estate as security. But little criticism was made of the department under this administration.

While on the ranch near the Seger Indian School he became acquainted with Mary Elizabeth Prescott de 'Les dernier. The young lady's father had long been an Indian trader, merchant and business man among the various tribes of Indians in Oklahoma. He had established a store and trading house near the Seger School and it was here that this young ranch man came for supplies and it was here that John R. Williams met the future Mrs. Williams. It was not until after the opening of the Kiowa and Comanche county that they were married at Gotebo, Kiowa County, the date being March 1902. Immediately after their marriage they moved to Mr. Williams's homestead southwest of Gotebo where they lived until his appointment as County Treasurer of Kiowa County. Mr. and Mrs. Williams were the parents of three sons, John Robert, born at Hobart in 1903, and died in Oklahoma City in 1926; Allen de 'Les dernier, born in Hobart in 1908, and William Henry, born in 1911. Allen and William Henry live with their mother in Oklahoma City.

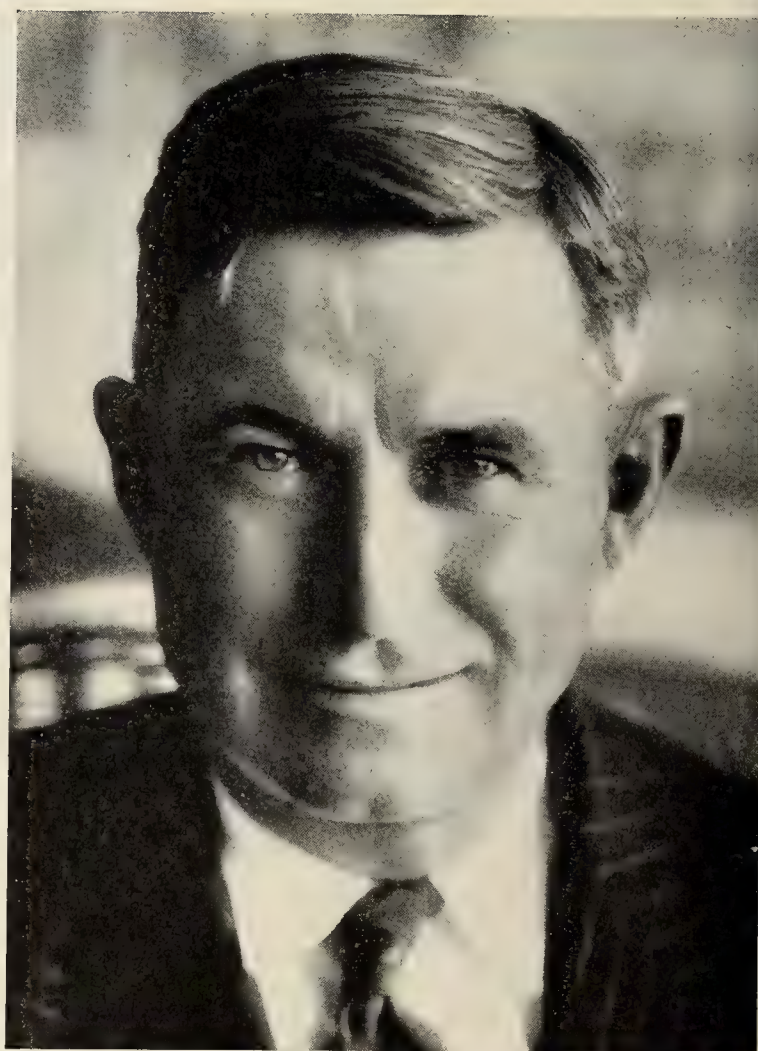
John R. Williams was always an active worker in politics and held many places of honor and trust. He served on committees of his party and was most always able to accomplish his objects. Some say he was a shrewd politician, but it would be more correct to say that he was a good organizer. He used the same intelligence and skill in his political organizations that the successful general uses in planning his campaign.

Governor Holloway appointed him as a member of the State Board of Public Affairs September 23, 1929, a position he held until January 12, 1931, resigning a short time before his death.

John R. Williams was one of Nature's Noblemen. A most congenial, companionable man. He was loyal to his friends and he never let politics or differences in political opinions come between him and his friends. He was an ardent Democrat, while some of his best friends were recorded with the other side. He was a friend to his friends, not only in pros-

perity, but in adversity, he did not desert them. I once heard an old Plainsman say that if you wanted to know the real character of a man you should take him with you on an overland trip across the country to California. John R. Williams was a man who would have stood that test, you could have gone with him around the world and returned with a higher regard for his character and greater respect for his friendship. He had the respect of people of every strata of society and every walk in life. There was no hauteur in his make-up. He was equally at home in a cow camp or in the most elite society. There was none of the wild west swagger about him, nor was there any effeminacy in his demeanor. John R. Williams was an honorable man, a high type of American gentleman. As a public official he served the public with fidelity and with honor to himself. He was always interested in the history and traditions of Oklahoma and Texas and was a friend of the Oklahoma Historical Society. Mrs. Williams, the widow of John R. Williams, is a member of the Board of Directors and one of the most active supporters of this Society.

—Dan W. Peery.



WILL ROGERS-1879-1935



WILEY POST - 1899-1935

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OKLAHOMA CITY, OKLAHOMA

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OKLAHOMA CITY, OKLAHOMA

ISTUTSI IN NAKTSOKU.

OR

WITH COTTELD'S BOOK.

BY REV. JOHN FLEMING.

Missionary of the American Board of Commissioners for
Foreign Missions,



UNION:

MISSION PRESS: JOHN F. WHEELER,

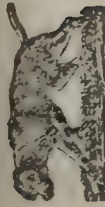
PRINTER.

.....

1835.

VC. 4231

FIRST BOOK PRINTED IN OKLAHOMA



I-FU.

I-fu hi-bli to-mis; ni-bli o-mel-ken tsu-kun a-hi-tsai-tsis. I-fu ma-hib-bla-ku sul-ki to-mis. Hi-yv i-fu hui-blat Is-pa-mel-ki im i-fu tis. Ko-wai-ki ho-po-yi-vv mo-nvts-ki-tv to-mis, mo-nun is-hi-tsc-tot i-li ho-nvvn is-mi-lin, i pu-tsa-sit bla-his.



TSU-KU.

Tsu-ku a-po-ki-tv to-mis. Yv-mv i-ku-nv tsu-ku hi-bla-kin ha-yv bla-mi-yi to-mis, bla-fon kv-sv-pi-tv tok. Hu-ni-hlv fe-tsv is-ti a-po-ka-kat in tsu-ku tsv-tun i-tun is-yo-min is-ha-hai-tsis; mo-mia Wa-hv-hv fe-tsv ho-pa-yi is-ti a-po-ka-kat pv-ti bla-kun is-ha-hai-tsis.



YU-PI-FAI-KU.

Yv-pi-fai-ku hi-bli to-mis; i-sin is-ti-min, fe-li-tsit, ta-hlit, ka-pvn is-ha-yit, v-is-tau is-ha-ho-yis. Yv-pi-fai-ku v-pis-vv hi-hlit, i-tsu v-pis-vv o-mi to-mis.



TSU-HLA-KU.

Tsu-hla-ku yik-tsi ma-lit, tsu-fik-mi ma-hi to-mis. A-fe-ho-ti hi-bli ho-mat yv-ma-su-sit, a-tot-k-tv sul-kin a-tot-kis.



Hi-yv is-ti pu-hin vu-tsu-ti wila-kis.

Chronicles of Oklahoma

Volume XIII

September, 1935

Number 3

CENTENARY OF PRINTING IN OKLAHOMA

The year 1935 marks the one hundredth anniversary of the beginning of printing in Oklahoma. This was an epochal event and while it had none of the glamour of military operations, yet it denoted the greatest step toward education, progress and civilization.

There is in the archives of the Oklahoma Historical society a small book, the first ever printed in Oklahoma. It is only a child's book and is printed in the Muskogee (Creek) Indian language, but every page is illustrated with wood cuts which were so common in old time children's books. Only upon the front page is there a word of English, but it is fortunate that the date of its printing is plainly shown on that page.

The Union Mission where the first printing press was set up and where the first printing was done, was in what is now Mayes County, Oklahoma, and a few miles southeast of Pryor, the county seat. The *Chronicles* is here presenting the first page and pages 8 and 9 of this unpretentious little book of 24 pages.

The first paper published in what is now the State of Oklahoma was the *Cherokee Advocate*, printed at Tahlequah, Cherokee Nation, in 1844. This was a real newspaper and had a good circulation. It was ably edited and would compare favorably with the weekly newspapers printed today. More than half of the paper for many years was printed in the Cherokee with the Sequoyah alphabet of 86 letters. This paper, the official paper of the Cherokee Nation, was published for many years. In volume eight, June, 1930, *Chronicles of Oklahoma*, there appears a page of the *Advocate* printed in the Cherokee language.

Two or three other papers were published in the Indian Territory prior to the Civil War: The *Cherokee Messenger*, also pub-

lished at Tahlequah; The *Choctaw Intelligencer*, and the *Choctaw Telegraph* published at Doaksville. The first paper printed in the Chickasaw Nation was the *Pauls Valley Enterprise* — 1887. The first paper printed within the boundary of Oklahoma Territory was the *Indian Herald*, a little sheet published at the Osage Agency in 1876. The first paper printed in Western Oklahoma was the *Cheyenne Transporter* printed and published at the Darlington Indian Agency, beginning in 1879. This paper was published regularly until 1886.

The Oklahoma Historical society has been the custodian of newspapers of the State for more than 40 years. The Society receives regularly 62 daily and 252 weekly newspapers. The *Eufaula Indian Journal* holds the record as the oldest continued publication in the state. It is now in its 59th year. The oldest paper in Western Oklahoma is the *Beaver Herald* published at Beaver City, Beaver County, with a record of 49 years of continuous publication.

In commemoration of the centenary of printing in this State, the Oklahoma Press association, in cooperation with the University of Oklahoma Press and the Oklahoma Library association, celebrated the week of October 6, 1935, in an appropriate manner. The Press throughout the State of Oklahoma carried extended accounts of the history of printing within the state.

At the site of the Union Mission where the first printing press was set up, the Oklahoma Library association and the Oklahoma Press association dedicated, on October 11, at 2:30 p. m., a handsome granite marker, a picture of which accompanies this sketch. On that occasion the following program was conducted:

UNION MISSION MARKER

Dedication Program

Union Mission, Mayes County, Oklahoma, October 11, 1935

2:30 P. M.

Marker erected by Oklahoma Library Association

Joint Celebration

Oklahoma Press Association

Oklahoma Library Association

Bugle Call

Invocation, Rev. Ralph J. Lamb, Tulsa

Greetings: Mrs. J. R. Dale, Oklahoma City, Oklahoma Library Commission. Introduced by Miss Mary Elizabeth Kitchen, Enid, President of Oklahoma Library Association. Mrs. Luther E. Tomm, Muskogee, Librarian General N. S. D. A. R. Introduced by Mrs. Cora Case Porter, Muskogee, Chairman O. L. A. Union Mission Marker Committee.

Mr. John Joseph Mathews, Pawhuska, Representing Osage Nation. Introduced by Mr. A. M. Landman, Muskogee, Superintendent of Five Civilized Tribes.

Address: "Expansion of Publishing Business in Oklahoma," by Marshall L. Smith, Tulsa. Introduced by Jake Proctor, Pryor, Chairman Publishers' Centennial Celebration Committee.

Music: Bacone College Quartette, led by Mr. Gordon Berger, Muskogee.

Address: "The History of Union Mission," Professor Morris W. Wardell, Norman, representing Oklahoma University Press. Introduced by Mr. Thos. J. Harrison, Pryor.

Address: "Printing at Union Mission," Dr. Grant Foreman, Muskogee. Introduced by Dr. B. D. Weeks, President of Bacone College.

Song: "Recessional," by Rudyard Kipling, sung by Mr. Gordon Berger.

Unveiling of Marker by Kathryn Buster, great-great-granddaughter of Rev. Samuel Austin Worcester.

Benediction: Rev. Joe Grass (Full-blood Cherokee, Mayes County)

Taps

Program Committee:

Mrs. Cora Case Porter, Muskogee
Sue B. Thornton, Tahlequah
Alma Reid McGlenn, Tulsa
Mrs. Catherine Jenkins, Muskogee
Jake Proctor, Pryor

ON THESE
PREMISES

UNION MISSION
THE FIRST MISSION IN OKLAHOMA
WAS FOUNDED IN 1820

BY
REV. EPAPHRAS CHAPMAN



THE FIRST PRESS
WAS ESTABLISHED AND THE FIRST
BOOK PRINTED IN 1835

BY
REV. SAMUEL AUSTIN WORCESTER

ERECTED BY
OKLAHOMA LIBRARY ASSOCIATION 1935



GEN. ELI LUNDY HUGGINS

GENERAL ELI LUNDY HUGGINS

By Carolyn Thomas Foreman.

Muskogee was at one time the home of General Eli Lundy Huggins, but that officer was of such a modest demeanor that few persons outside of his close friends knew of his distinguished career in the United States Army during the Civil War, campaigns among the wild Indians, the Philippine Insurrection and the Boxer Uprising in China.

Eli L. Huggins, the son of the Rev. A. G. Huggins who was the first white settler of Nicollet County, Minnesota, was born in Schuyler County, Illinois, August 1, 1842. He left Hamlin University at the age of eighteen to enlist under the first call for troops at the beginning of the Civil War.¹ He became a private and then corporal of Company E, Second Minnesota Infantry July 5, 1861 and served in that regiment until July 14, 1864; private Company K, First Minnesota Artillery February 16, 1865 until he was honorably mustered out as a first lieutenant September 27, 1865. He entered the Regular Army as a second lieutenant of the Second Artillery with rank from February 23, 1866; was promoted to first lieutenant December 24, 1866 and transferred to the Second Cavalry April 11, 1879. He became a captain April 23, 1879.²

Young Huggins participated in the battle of Mill Springs, Kentucky, January 19, 1862 where the Confederate army was utterly routed and Gen. F. K. Zollicoffer was killed; siege of Corinth, Mississippi, May, 1862; Perryville, Kentucky, October 8, 1862 where the Union army was commanded by Maj. Gen. Alexander McDowell McCook and the Confederate troops fought under Gen. Braxton Bragg, Gens. B. F. Cheatham and Simon B. Buckner and included General Wheeler's Cavalry; Chapel Hill, Tennessee on March 25, and 26, 1863; Chickamauga, Georgia, September 10, 1863, where he was wounded three times and captured by the enemy. He was discharged at Nashville, Tennessee, September 27, 1865.

¹Office Adjutant general, Old Files Division, 123087 Filed with 1812 A. C. P. 79.

²*Ibid*, DOC File M. 1812 Acp 79.

Huggins received an appointment in the Regular Army upon the recommendation of William Windom, Member of Congress from Minnesota, and was assigned to the Second Artillery as a second lieutenant February 23, 1866; he was promoted to the grade of first lieutenant December 24, 1866. For several years he was on duty with troops on the Pacific coast, Alaska and then on the Atlantic Coast. He was transferred to the Second Cavalry April 11, 1879 and became a captain on the twenty-third of the same month. The cavalry service called for duty in the West and for a long term his regiment served in Montana and was almost constantly engaged in campaigns against hostile Indians.

On Friday, October 18, 1867, Gen. Lovell Harrison Rousseau took over Alaska from Russia.³ Captain Huggins was stationed with his battery at Alcatraz Island, California when he was ordered to conduct Battery G to Fort Kodiak, Alaska, and he joined that post June 6, 1868. He remained there until June 22, 1870 when he was assigned to detached service at St. Paul's Island, in that same territory. He rejoined his battery at the Presidio, San Francisco, November 19, 1870. The objects of the occupation of the newly acquired territory by United States troops were: ". . . to prevent, in the absence of any organized civil government, any abuse by the settlers, traders and fishermen upon the natives of the Island, and second, to keep in check and overawe, by an exhibition of military force, the more barbarous natives of Kenay and Alaska Peninsula, who visit Kadiac for purposes of trade."⁴

During his sojourn in Alaska young Huggins wrote interesting letters to his sisters, telling of his life and surroundings in the far-away territory. The service was tedious at times but he occupied it in studying Russian in which he became so proficient that he was able to read a novel in that language. "I suppose my russian will soon rust away after I leave Alaska as there will very little opportunity for its use . . . unless I had

³Rousseau, a native of Kentucky, had served two terms as a Member of Congress from that state. He resigned his seat March 3, 1867 upon being appointed a brigadier general in the Regular Army (*Biographical Congressional Directory*, 1774 to 1903, Washington, 1903, p. 599).

⁴Men and Things in Alaska by Lieut. E. L. Huggins, *The Citizen*, Minneapolis and St. Paul, November 26, 1874.

influence enough to get attached to the suite of the minister to the russian capital, which I should very much like . . . I had a call today from a russian priest and his daughter. They arrived here a few days ago in a small sloop from one of the Aleutian Islands, and are waiting for an opportunity to go to San Francisco, and from thence to Russia. The daughter is young, rather good looking, and I think quite good natured, but never having been out of Alaska is quite timid with strangers. She seemed to be quite intelligent and is I think almost half native being not quite as dark as a sioux half breed. She parted her hair on one side when we first came here, but a good many of them part it in the middle now. The priests from the time of their ordination till their death never allow scissors or razor to touch their hair or beards. They part their hair in the middle, and some of them have hair reaching to their waists. They frequently have it done up in a knot, when at home, but when visiting or conducting services they always have it hanging about them. This with their long grey beards, and ample robes, reaching to the ankles gives them a very venerable appearance. They say that a priest being in the service of God should bear the image of God as nearly as possible, man being formed after the image of God. No one who is blind or lame, or marred in any way can conduct services in a russian church. When the priest enters any house he pauses at the door and invokes a blessing on all the inmates before entering. When he shakes hand with any of his flock, he takes the man's hand in his left, makes the sign of the cross on the palm with his right forefinger, and solemnly repeats the words, 'In the name of the father and of the son and of the holy ghost,' both priest and parishioner pulling off their hats until the ceremony is over. When any russian hears of the death of a friend or acquaintance, by letter or otherwise, he or she makes the sign of the cross, and says devoutly, 'May he receive a heavenly kingdom.' . . . ''⁵

On December 20 he wrote: " . . . Winter has set in with more severity than last year, but much milder than our Minnesota winters. The coldest weather so far is sixteen degrees above zero." The brig Olga left for Sitka that day and she took

⁵Fort Kodiak, Alaska, November 27, 1869.

away “. . . about half of the soldiers, whose time is out, so that the place will be in every way much quieter than it was last winter.

“ I have some rose trees in my room which I think will bloom this winter. I had some very beautiful roses about six weeks ago. The doctor says that they poison the air, but I have felt no bad effects yet from them. . .”

From San Francisco, April 18, 1870 Huggins wrote his sister “. . . I expect to go to Kodiak in the Newberne, a Govt vessel, with room for thirty passengers. There will be three officers families on board, and about ten or twelve officers . . . I shall go by way of Victoria . . . also by way of Sitka, Tongass, and Wrangell . . . The desire to see these places makes me more ready to go than I would otherwise be . . .” On May 7, 1870 Huggins wrote from Nanaimo, Vancouver Island: “The Steamer Newberne arrived here from San Juan Island day before yesterday morning and we have been taking in coal ever since. Nanaimo is a small english town on the north end of Vancouver island. It is a very pretty place surrounded with a forest of evergreens. Its only importance is the coal mines near the coast. There is a British man of war in the harbour, the officers of which have visited us twice, and we are going to return the compliment this morning. There are three churches in Nanaimo. We visited the Indian village yesterday. It is a mile from the town. There are about four hundred of them, but at present the population is nearly all absent fishing for salmon so we saw hardly any one but old people and small children. They live in enormous one story houses built of puncheons which they hew out themselves. The chiefs house is 240 feet long & eighty feet wide, but it is very poorly roofed and has no floor. Over the door outside are two hideous images carved out of wood, and painted red, stuck up about four feet from the ground. There are two small churches in the indian village one methodist and one episcopalian.

“We expect to sail again this evening and will probably reach Tongass island where there is a military post, on the 11th. The voyage so far had been just like a pleasure excursion.”

In a letter to one of his sisters, written July 25, 1870, the officer recounts a journey to Walrus Island from Saint Paul Island where he was staying. “. . . Walrus Island [is] sixteen miles from here. It was a cold dreary trip in an open boat, but I was well paid for it. Besides myself were Count Veritenikoff and five natives rowed the boat. When we left here at three o'clock in the morning we hoped to sail most of the way, but the wind being contrary the natives had to row most of the way. We arrived at Walrus Island at nine in the morning. The island is half a mile long and an eighth of a mile in width. At this time of the year it is covered with swarms of gulls and other aquatic fowl who go there to breed. When we landed on the island, they rose in great clouds, and made a noise like that of a high wind in a forest. We could hardly step without breaking the eggs which almost covered the ground. The natives went to work and filled the boat with eggs as full as it would hold. I am not fond of gull eggs, but can eat them at a pinch. They are dark colored & have a rank flavor. There were hundreds of walrus on the rocks when we arrived there, but after shooting a few of them the rest took to the water and did not come back until afternoon, when I shot one and took the tusks. The tusks are two feet long. The walrus is an immense animal, almost as large as an elephant. At noon the natives made a fire of walrus blubber, and made tea. They also cooked eggs and seal meat. We left Walrus Island early in the afternoon, and reached home at seven o'clock. The natives were obliged to row all the way back against the wind and tide current, and were almost exhausted when we got back . . . There is a good deal of sickness among the natives . . . Dr. Gildersleeve attributes this to their underground dwellings which are always damp and moldy. They live in these underground abodes, not as I used to suppose on account of extreme cold, but because they can not get wood on any of the Aleutian Islands to build houses. These islands, St. Paul and St. George, were not inhabited when the Russians discovered them. The Russians brought natives from various islands to live on them. There is one family here from Kamschatka. They are very much darker than the Aleutians, but I think they are finer looking. They have been here thirty years and speak the Aleutian language . . .”

To his sister Hattie young Huggins wrote from St. Paul Island, September 10, 1870— “. . . I often wish that my sisters could be here . . . to accompany me in one of my walks. It would astonish you to see the young seals . . . The young seals which were born in June and July are learning to swim now. It is a singular fact that a young seal cannot swim, and would drown as soon as an infant if left alone in the water. They are now (the youngest of them) about six weeks old, and as tall as a large cat, but three times as heavy. The old males are as large as a horse and have a mane like that of an old buffalo. They are a formidable looking animal, and if any one who had never seen or heard of them before should suddenly come upon them it would frighten him as much as a pack of lions. They are not dangerous though for they never fight when they have a chance to run, and they move so slowly on shore that a small child can easily keep out of their way. I take some long walks when the weather is fine. Little blue foxes come out of their holes and bark at me as I go by. They live on seal meat.

“Berries are ripe on the island now and I see native women and girls out picking them every day. There are two kinds of berries. I do not like either of them much except preserved. One kind is a good deal like a red raspberry only the seeds are much larger and coarser. The other kind is like huckleberries. The women complain that the foxes eat more than their share of the berries. Some of the natives are quite industrious and anxious to improve their condition and be ‘alle same Americansky,’ but there is not much chance of that as long as they are obliged to live in underground houses and burn seal blubber for fuel. It makes a very rank black smoke which ruins everything in the house. There are no trees on the island so they will have to continue as they are for a time yet. I think hardy trees would grow here, and have written to the bureau of Agriculture in Washington to send either young sprouts or seeds of maple, cottonwood &c. I think if there is any one here to take an interest in the matter after I leave they can have large groves twenty years hence.

“The natives here will have to live on seal meat if a vessel does not come soon. The sugar and tobacco is all gone already, which to them is a greater misfortune than if the flour was all gone. They have to make their beer of berries alone now. It is

quite intoxicating, but they like it better when they have sugar to put in it. Oct. 9, 1870 A steamer from San Francisco arrived this morning and I am ordered to San Francisco . . .”⁶

Upon the request of Gov. Horace Austin of Minnesota, Huggins was sent to the university of that state where he served from July 30, 1872 to July 11, 1875. He was stationed at Summer-ville, South Carolina and Raleigh, North Carolina; commanded the post at Fort Johnston in the same state; served at Washington, D. C., at Fort McHenry, Maryland, and was in command of Carlisle Barracks, Pennsylvania until October, 1878.

His next service was with the Second Cavalry in Montana (he joined at Milk River in July, 1879)⁷ at Fort Keogh where he remained until November 12, 1880. On April 1, 1880 he was in command of troops in an engagement with the Indians at O’Fallon’s Creek, Montana and Captain Huggins described the campaign as follows: “. . . In one of these pursuits in March 1880 in the region between Missouri and the Yellowstone, every member of my troop was frozen, some of them seriously . . . brought into Fort Keogh at different times more than a thousand Indians, who surrendered in the forks of the Missouri & Yellowstone. Among these Indians were Rain-in-the-Face,⁸ Spotted Eagle, and Iron Shield.”⁹

Captain “Huggins was awarded a Medal of Honor for most distinguished gallantry in action against hostile Ogallala Sioux Indians near O’Fallon’s Creek, Montana, April 1, 1880, with his troop, surprising the Indians in their strong position and fighting

⁶Letters loaned the Author by Miss Dorothy H. Huggins, great-niece of Gen. Eli L. Huggins.

⁷“. . . As a Captain in the 2nd Cavalry, I took part in the Campaign of 1879 against Sitting Bull. I commanded Troop, ‘E’ 2nd Cav in the engagement with hostile Sioux near Milk River, Montana on the 6th or 7th of July 1879 . . .” (Huggins to Adjutant general from Fort Myer, Virginia, January 16, 1903).

⁸Rain-in-the-Face, a noted Sioux warrior, was born near the forks of the Cheyenne River, North Dakota, about 1835. He led a turbulent life and took part in the Little Bighorn fight. He was badly wounded in that battle and rendered permanently lame; he followed Sitting Bull to Canada, where he remained until 1880. His death occurred at the Standing Rock reservation, North Dakota, September 14, 1905 (*Handbook of American Indians*, Washington, 1912, vol. 2, p. 353).

⁹Huggins to Adjutant general, January 16, 1903.

until dark with great boldness."¹⁰ The Medal of Honor awarded Captain Huggins for his exploits had been recommended by Gen. Nelson A. Miles and it bore the inscription "The Congress to Captain Eli L. Huggins, 2d U. S. Cav. O'Fallons Creek, Mont., Apr. 1, 1880." Huggins was also commended for his gallantry by General Sheridan and he and Lieut. Lloyd M. Brett were the only surviving officers who took part in the engagement.

"As this gallant action against hostile Indians was performed under many difficulties and hardships, and was so well executed as to receive the merited commendation of the Department commander, and reflect credit upon the service . . ." General Miles recommended that Huggins be brevetted. In the brush with the enemy one soldier was killed, an Indian was wounded and five were captured as well as all the pony herd of the Indians."

Gen. Philip H. Sheridan wrote concerning Huggins on March 24, 1880: "A party of thirty or forty Sioux ran off about 30 ponies belonging to enlisted Crow scouts at Fort Custer, Montana. Forty-four officers and men went in pursuit and they traveled sixty-five miles in eleven hours. They overtook and engaged the hostiles, recaptured sixteen of the stolen stock. Captain Huggins with Troop E of the Second Cavalry, from Fort Keogh surprised the Indian camp on April first, captured five Indians, forty-six ponies and some arms." General Miles' report to the secretary of war for 1880 (p. 74) stated: "Captain E. L. Huggins, 2nd Cavalry . . . leaving Keogh to intercept these Indians on the Rosebud, struck their trail . . . followed persistently until the hostiles were overtaken on a branch of O'Fallon Creek, an engagement followed resulting in all their stock and 5 Indians being captured."

On December 28, 1880 Adjutant general R. C. Drum directed Captain Huggins to report in person to Brigadier general George Crook of the Ponca Commission as "it is understood that Capt.

¹⁰Adjutant General's Office, Old Files Division. C. P. Summerall, General Chief of Staff to Miss Harriet Huggins . . . October 31, 1929; *Historical Register . . . of the United States Army*, Heitmann, Washington, 1903, p. 552.

¹¹Adjutant general's Office, Old Files Division, 6 733, 1894 7. No. 118.

Huggins is conversant with the language of the Sioux Indians, and he may be of service to your commission . . ."¹²

Captain Huggins was stationed in the Adjutant general's office in Washington, on special duty to January 25, 1881; at Fort Snelling, Minnesota to May 18, 1881 and with his regiment at Fort Keogh commanding an escort to a surveying party in the field from May to October, 1882. General Miles requested that Captain Huggins be ordered to report to him for duty as Acting Assistant Inspector General of the Department of the Columbia.¹³

Gen. Felix Agnus, editor of the *Baltimore American* addressed Hon. Redfield Proctor, Secretary of War, on July 19, 1889, on behalf of Captain Huggins: ". . . Captain Huggins speaks French readily, has made a special study of French literature, and has made excellent translations from that language" and Agnus recommended the assignment of the talented officer to witness the maneuvers of the French army.

Huggins was with his regiment at Fort Sherman, Idaho to June 7, 1890; his file in the War Department contains an extract of a letter from Headquarters, Department of Dakota, June 4, 1890, which reports: ". . . marches of extraordinary length at the most inclement season of the year . . . excellent conduct of affairs by Captain Huggins . . . rapidity of pursuit [of hostile Indians] continued after their meal ration had become exhausted and little else had been left for them to subsist upon . . . jaded condition of their animals, until the enemy had been overtaken and encountered; the capture of the enemy herd, and of five prisoners of his party; and the gallantry displayed by Captain

¹²*Ibid.* The Ponca Commission was appointed by President Hayes and consisted of Brigadier general George Crook, Brigadier general Nelson A. Miles, William Stickney of Washington, D. C. and Walter Allen of Newton, Massachusetts. These men were directed to ". . . proceed to the Indian Territory as soon as may be, and after conference with the Ponca tribe of Indians, to ascertain the facts in regard to their removal and present condition . . ." The commission reported, January 25, 1881, that after a careful investigation the conclusion was reached that the removal of the Poncas from their reservation in Dakota and Nebraska was injudicious and without sufficient cause; that the lands from which the Indians had been removed had been ceded to them by the United States, that they had violated no condition of the treaty and that a portion of the tribe had succeeded in getting back to their native country where they were on friendly terms with all other Indian tribes, including the Sioux (*Report of commissioner Indian affairs, 1881*).

¹³Adjutant general's Office, Old Files Division.

Huggins . . . merits and receives from the Department commander the expression of his highest commendation." Huggins served as *aide-de-camp* to Gen. Nelson A. Miles at Chicago to November 18, 1894, at headquarters, Department of the East, Governor's Island, New York to April 25, 1895. The next year he was sent to Fort Riley, Kansas, in command of his troop. Major Huggins was granted a leave of absence and on September 18, 1897 he sailed from New York for Paris. He was next on duty with the Sixth Cavalry at Fort Leavenworth, Kansas until April 19, 1898.

Upon the breaking out of the Spanish-American War, Huggins applied, May 16, 1898, for appointment as colonel of a regiment of volunteers "to be composed of men 'Immune' from yellow fever . . . " He had served his country for nearly thirty-seven years and he was highly recommended by Members of Congress and army officers. One of these was J. C. Breckinridge, Inspector General of the army, in which he said (May 16, 1898) that Huggins had "distinction for marked ability, conduct and courage . . . " On May 24, 1898 he was appointed colonel of the Eighth United States Volunteer Infantry; March fifth the next year he was honorably mustered out of the volunteer service and returned to his rank in the Regular Army as major of the Sixth Cavalry to which he had been appointed January 13, 1897. In August, 1900 with his command he sailed for China where he participated in subduing the Boxer Uprising. The next year he was lieutenant colonel of the Third Cavalry and served in the Philippines at Pasay Cavalry Barracks, Manila, at Santa Anna, Vigan and Lavag, Philippine Islands to December 24, 1901. He was transferred to the Thirteenth Cavalry November 6, 1901 and became colonel of his old regiment, the Second Cavalry, on the sixteenth of the same month. He commanded the regiment at Fort Myer, Virginia until February 23, 1903 when he was retired.

The day before his retirement the gallant officer was commissioned a brigadier general. A perusal of his papers in the War Department explains his high standing in the service. He was reported as ". . . a man of far more than average intelligence and attainments." His "Attention to duty: Excellent"; his "Disciplin: Good; Care of Men: Very good." When he was *aide-de-camp* to General Miles he was reported as "Single, ac-

complished, zealous attention to duty. Good conduct and habits, efficient. Capacity to command good." General Huggins spoke French, Spanish, Portuguese and Russian.

Upon his retirement General Huggins and his sister, Mrs. J. S. Holtzlaw, moved to Muskogee, Indian Territory, where he had invested heavily in real estate. His home was at 1609 West Okmulgee Avenue and he was a most estimable citizen and delightful neighbor.

In 1890 Captain Huggins published a volume of poems called *Winona, a Dakota Legend*. In addition to the poem which gives the book its title are many original verses as well as translations from French and Spanish. Shortly before his death at San Diego, California, on October 22, 1929 General Huggins published an article in the *American Mercury* in which he contributed his knowledge to the mooted question of the Custer massacre.

Upon the death of General Huggins the Chief of Staff of the United States Army, Gen. C. P. Summerall, wrote a sketch of his service in which he said: "The military career of General Huggins, extending over a period of more than forty years, was distinguished by gallantry in action, devotion to duty, and efficiency and reliability in the performance of all tasks assigned to him. The Medal of Honor awarded him bears ample testimony to his bravery and fearlessness as a soldier. His death, which is deeply regretted throughout the service, marks the passing of another officer from the rapidly disappearing ranks of veterans of the Civil War."

OLD PHILADELPHIA BAPTIST CHURCH

W. B. Morrison

About eight miles east of Durant on Highway 70 the traveler may notice a modest white frame building on his left just before he crosses Blue River. It is the present home of Philadelphia Baptist church, probably the oldest active Baptist organization within the state of Oklahoma.

The founding of this church dates back to the first planting of Baptist missions among the Choctaws by the American Indian Mission Society of Louisville, Kentucky, shortly after the arrival of the Indians in the Oklahoma country. This pioneer work centers around the labors of Ramsey D. Potts. The career of Mr. Potts is full of interest. He first came among the Choctaws in Mississippi as a Federal agent. The Baptists had an early mission to the Choctaws, Carey and Thomas being two of their stations in Mississippi. At first Mr. Potts was not even a professed Christian, but after boarding for a while in a missionary family, not only was he converted and brought into active membership in the Baptist church, but he also married one of the missionaries at Thomas station, became earnestly interested in their work, and soon applied for ordination as a minister.

When the Indian removals disrupted the work in Mississippi the Baptists decided to continue their work for the Choctaws in their new home in the West. In 1835 Mr. and Mrs. Potts were sent as missionaries to the Choctaws along Red River in Oklahoma. They opened a mission school, to which they gave the name of Providence, at a point in what is now Choctaw County, twelve miles west of Fort Towson and six miles north of Red River. The career of Mr. Potts as a missionary and educator in the western portion of the Choctaw Nation continued through a period of more than seventeen years.

In 1844, when the Choctaws decided to found an academy for boys in the western portion of Pushmataha District, Rev. R. D. Potts was invited to take charge of it, the Indian Mission Society of Louisville, Kentucky, paying a third of the cost of oper-

ating the school. The site of the new institution was selected at a point about three miles northeast of the present town of Bokchito, and in honor of the popular Choctaw Agent, William Armstrong, was given the name of Armstrong Academy. It became a very important center of Choctaw educational and political life for the next half century.

However much Ramsey D. Potts was interested in the educational progress of the Choctaw people, there is no doubt that he was still more interested in their spiritual development. We find him riding a great circuit extending from Blue River on the west to the Kiamichi on the east, preaching the Gospel wherever a group of people could be gathered to hear it. By reason of the work of Mr. Potts there were soon large numbers of people throughout this territory holding to the Baptist faith but possessing no church organization. To remedy this situation, a company of these believers met at Providence on July 5, 1846, and proceeded to organize what the old minute book of the Philadelphia church asserts to be the "first Baptist church in the Choctaw Nation." Ministers taking part in the formation of the church were Rev. Ramsey D. Potts and Rev. J. L. McClendon. After the organization, and on the same day, Mr. Potts was chosen pastor, P. P. Brown, clerk, and H. W. Jones, deacon. Three new members were received into the church by baptism. It was a great day for the Baptist church in the new country.

For a number of years this organization might well be called the "First Baptist Church of the Choctaw Nation," for it had no permanent location. Meetings were held and the doors of the church opened whenever and wherever the officers thought it advisable throughout the large district covered by Mr. Potts' ministrations. For instance, on July 19, 1846, the record states that the "doors of the church were opened at a meeting held in a regular preaching place in Ponubbie's neighborhood." Two members were received and baptized at this time, one of them being Ponubbie himself. In December of the same year an entry records the death of Ponubbie from "bleeding of the lungs." The funeral of this brother was not held, however, until the 14th of February, 1847, following a custom still prevalent in the mountains of West Virginia and Kentucky. At this funeral the doors

of the church were opened for the reception of members. Throughout this early record we find these delayed funerals, and in nearly every case they prove to be occasions for the reception and baptism of new members, not infrequently relatives of the deceased.

The first record of a meeting of the church near its final home occurred on February 21, 1847, at Armstrong Academy. It is interesting to note that the clerk, P. P. Brown, and the deacon, H. W. Jones, were both present, though Armstrong Academy is some fifty miles from Providence where the original organization took place. It was voted to hold regular meetings of the church here once a month, evidently because of the great interest on the part of the people of the neighborhood. Sunday, March 21, 1847, seems to have been a red letter day for the church in this locality. Several members were received, including Capt. William Lucas and his wife, prominent people of the Academy neighborhood. Dr. Adiel Sherwood, corresponding secretary of the Indian Mission of Louisville, Kentucky, and Rev. Joseph Smedley, missionary to the Creeks and Chickasaws, were present and assisted with the services, which were concluded with the celebration of the Lord's Supper.

Another evidence of the growth of the church in the region of Armstrong Academy was the appointment of a committee in May, 1847, to select the location and let the contract for the building of a church building, Captain Lucas being one of the members of this committee. The instructions given to the committee are interesting: "The location should be made near a supply of good water, pasture, and near some one who will feel an interest in and look after it occasionally. That the Committee make no contract until they are well satisfied what their funds are; be careful not to bring their church into debt; and that they build as good and large a house as the funds under their control will permit." The house was not erected until nearly two years later, and then under the supervision of Mr. Potts, at a point about three miles southeast of Armstrong Academy. In honor of their pastor, the congregation named their new church "Ramsey," by which it was known until 1855 when the name was changed to "Philadelphia."

As long as Mr. Potts conducted *Armstrong Academy* he continued to preach at other points farther east, receiving members into this church from time to time. One of these preaching places, whose location has been lost, was known as Winchester. It was probably near the district court grounds in what is now Choctaw County. Students of Oklahoma history will remember that the Choctaw Nation was divided into three districts, the western division being named after the great chief Pushmataha. The first chief of this district was Nitakechie, a nephew of Pushmataha, who led a band of Choctaws over the "Trail of Tears" to their new home. It is not now definitely known where Nitakechie and his family made their home, but it was somewhere within the eastern bounds of Mr. Potts' circuit. There is no evidence to show that Nitakechie was ever reached by the missionaries—he was opposed to them in Mississippi. It is also known that Nitakechie returned to Mississippi on a visit and died there in December, 1845. At least two of Nitakechie's sons, however, were converted under the preaching of Mr. Potts. One of them, who had taken the name of Henry Graves while attending school at the Choctaw Academy in Kentucky, was converted at a meeting held at Winchester in the autumn of 1849. He became a very earnest and faithful Christian, and in July, 1851, by the vote of the church during a meeting at Winchester, was called to ordination and became a helper of Mr. Potts, serving faithfully until his death, which occurred in February, 1854. His wife, Mary Graves, was converted and baptized at her husband's funeral. Another of the chief's sons, Captain Jackson Nitakechie, united with the church at Winchester in 1851.

An interesting minute of a meeting of the church held at Winchester in June, 1850 records the reception and baptism of a number of persons: "One of the above, Yakmetubbe, was tried for murder and condemned the 19th instant to be executed the first of July. Immediately upon his condemnation, by his request he was put in charge of an officer who was a member of the church, and who endeavored to show him the danger to which he was exposed, and urged upon him the necessity of an immediate preparation for death. His heart was reached. He prayed for forgiveness for his sins, and as we hope, in answer to his petitions his sins were forgiven, and though compelled to suffer the penalty

of the law of his country, we trust he will escape the severer penalty of God's law through the mediation of Jesus Christ." It will be remembered that the Choctaws administered capital punishment by shooting. They had no jails in the early days, and during the interval between the conviction of the criminal and the carrying out of the sentence, the latter was practically at liberty or under the nominal charge of an officer of the law. Few instances are recorded, however, where a condemned Choctaw failed to present himself at the time and place appointed for his execution.

In December, 1851, Rev. A. G. Moffatt and wife, and her sister, Mary Jane Glasgo, new teachers at Armstrong Academy, were received by letter into the church at Ramsey. Not long afterwards Mr. Potts' health began to fail. From the official records at Washington, the indisposition of Mr. Potts is cited as a reason for the tardy presentation of the report from Armstrong Academy in 1853. We are not surprised, therefore, to find the church on March 12, 1854, accepting the resignation of their old pastor "at his request," and to note the election of Rev. Andrew G. Moffatt as his successor.

In April, 1855, comes the reorganization of the church, with a change of name from Ramsey to Philadelphia. Doubtless prior to this other churches had been constituted within this district and independent of this organization. Some of these, dragging along at a poor dying rate, were invited to join the parent body, which was probably the reason for the change of name. There was certainly no cause, as we shall see later, for any reflection on their late pastor and friend, Ramsey D. Potts, nor desire to deprive him of honor. During this period Philadelphia church seems to have joined the Sister Grove Association in Fannin County, Texas. At a meeting of the church in conference on September 4, 1858, a resolution was adopted asking for a letter of dismission from this Association, and at the same time delegates were chosen to attend the Indian Association "lately and informally organized in the Creek Nation." However, in December, 1860, an Association of churches was formed at Philadelphia church, and was named the "Ramsey Baptist Association," in honor of the first missionary, Elder Potts. Delegates were present

from four other churches; namely, Rock Creek, Cedar Creek, Ephesus and Good Spring. The last mentioned church was on "Allen's" or Island Bayou in the Chickasaw Nation. Cedar Creek, later called Bethel, was in Skullyville County in the northern part of the Choctaw Nation. This Association met again in 1861 with Cedar Creek church, but the advent of the Civil War brought it to an end. All of the member churches of the Ramsey Association, except Good Spring, assisted in the formation of the Choctaw-Chickasaw Baptist Association near Atoka in 1872.

Rev. A. G. Moffatt resigned the pastorate of Philadelphia church in 1858, but remained in this section for about a year, afterwards going to Canada. He was succeeded by Rev. Robt. J. Hogue, who came from Georgia as a missionary to the Choctaws under appointment from the Domestic and Indian Mission Board of the Southern Baptist Convention. His support was pledged by the Bethel Association of Georgia. The remainder of Mr. Hogue's long life (he died at Atoka in 1906) was identified with mission work in the Choctaw Nation. His pastorate at the Philadelphia church included the dark days of Civil War, when Armstrong Academy became a Confederate hospital, and the surrounding country an asylum for refugees from the northern part of the Indian Territory. He did what he could to relieve the sufferings of the sick and wounded, and gave Christian burial to those who died. Within a rock vault in the now deserted cemetery of Armstrong Academy lie the remains of four of Mr. Hogue's children. At the close of the war, in October, 1865, to be exact, Mr. Hogue resigned the pastorate at Philadelphia and moved to Texas. In 1868 he was recalled, retaining the pastorate until 1872. He then removed to the region of Boggy Depot, where he had organized a church in 1871. Elder Hogue frequently visited Philadelphia church for many years after he ceased to be its pastor, and his name occurs as moderator of conferences there as late as 1896.

Since the days of Rev. R. J. Hogue Philadelphia church has generally had Choctaw pastors. Among them should be mentioned Johnson Baker, Alfred Wright, R. S. McFarland, E. N. Patterson, and S. E. Nelson who has held the pastorate since 1917. Several of these men were called to ordination from the member-

ship of Philadelphia church. A knowledge of the Choctaw language is still a valuable asset to the pastor.

In the year 1883 the site of the church building was moved to a point about three miles east of the present town of Blue. In 1887 this structure was burned, and the church was rebuilt near the river west of Blue. As this site did not prove satisfactory, Philadelphia church in 1905 made its last move and erected the present building on ground donated for the purpose by Mrs. Adeline Patterson, one of its members. The bell now in use in this church was brought from the old Choctaw court house at Armstrong Academy.

In recent years Philadelphia church has only a small membership, but it is far from dead. In the Baptist "Seventy-five Million Campaign" this little organization pledged \$850.00. It keeps up Sunday School and other church activities. In 1929 it won the banner offered by the Choctaw and Chickasaw Singing Convention. A men's quartet from the Philadelphia choir has been one of the most popular in southern Oklahoma in recent years, especially in the rendering of sacred songs.

SOURCES AND ACKNOWLEDGMENTS

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COL. SAMUEL CROCKER

COLONEL CROCKER AND THE BOOMER MOVEMENT

BY DAN W. PEERY

In the introduction to an autobiography, written to be filed in the archives of the Oklahoma Historical Society, Col. Samuel Crocker writes:

“It is January 13, 1913, and I am in my 68th year. I was born in Cumbrew House on the Crocker estate Devonshire, England, on Christmas eve. 1845. My father's name was W. N. Crocker and my mother's name was Fannie E. Crocker. My father was the son of a gentleman farmer and stock breeder. My mother was the only daughter of a British Captain, J. N. Tyte, who commanded a British East India Merchantman.”

The records at Oklahoma City show that Samuel Crocker died December 17, 1921, however, there was little if anything said in the public press and no note was made of his departure. Colonel Samuel Crocker is one man to whom the people of this state are indebted. Had it not been for him and a number of other adventurous spirits like him, this state might have been the home of many other Indian tribes and the process of its opening and development into a great state would have been much retarded.

Some years before his death, Col. Samuel Crocker, one of the men who had been most active in securing the legislation necessary for the legal opening of the unassigned lands in the Indian Territory to homestead settlement, wrote what he termed a biographical sketch of his life. It was written with a pencil and on a very poor grade of paper and some parts of the manuscript were hard to decipher. A few months ago Dr. Rayden J. Dangerfield of the Department of Government, University of Oklahoma, volunteered to have these dim manuscripts transcribed and bound, one volume to be kept for reference at the University and one volume he presented to the Historical Society.

For many years the writer was a friend of Colonel Crocker and has read with much interest these transcribed manuscripts. There is some valuable history in these papers, however much of

it is more of a personal nature. He writes in detail about the many incidents of his childhood and early life in Iowa. He devotes pages to his early political career and his espousal of the "antimonopoly" and "greenback cause" early in life. He tells of political meetings that he had held all over the state and of the election of his candidate to Congress. He was the especial friend and champion of Gen. James B. Weaver who was, at one time, a candidate for President on the Greenback ticket. He had joined the "Grange," as well as most all of the labor organizations and spent much of his time traveling over the country lecturing, yet he found time to do some writing for progressive newspapers. The shackles of party politics never bound Colonel Crocker to any political party. He was a free-lance who followed the dictates of his own conscience, and even when he did not have a following he was apparently not disappointed.

It was while on one of his lecturing trips in 1884 that he became acquainted with the Payne Oklahoma Colony movement. He at once saw the injustice of the government permitting thousands of head of cattle to graze upon the millions of acres of rich land in the fertile Indian Territory country; while the multitude of men and women who had no homes were not permitted to put a plow in the ground. If these boomers attempted to camp a week on that part of the public domain within the boundary of the Indian Territory, they were driven out by the United States soldiers. Here was a real live cause for the Colonel to champion. He at once joined the Payne's Oklahoma Colony and became a boomer. Payne had died a short time before and Capt. W. L. Couch was selected by the boomers as the leader of the movement to invade Oklahoma and compel Congress to take immediate action to open the country to settlement.

Colonel Crocker spent the winter of 1884 and 1885 at his old Iowa home and made speeches over that state to arouse public sentiment for the opening of the unassigned lands in the Indian Territory for settlement under homestead laws. He also solicited members for the Payne Oklahoma Colony.

In connection with the story of the opening of Oklahoma, the historians have given but slight recognition to the part that Col. Samuel Crocker had in bringing about the legislation necessary to

open up that part of the public domain known as "Unassigned Lands" to homestead settlement. They have never given to him the credit due for the publicity that was needed to arouse public sentiment which demanded the action by Congress, necessary to clear the title so the settlers, prospective, might secure homes in the much coveted beautiful land of Oklahoma.

Colonel Crocker was not among the early boomers, he first arrived in Wichita about the time Capt. David L. Payne died. Capt. W. L. Couch, who had been Payne's lieutenant, was selected by the boomers, and was recognized by common consent as the leader of the movement to invade Oklahoma, and by constant agitation compel Congress to take action to open the country to settlement. In fact the boomers claimed that no legislation was necessary as the so called unassigned lands were in reality a part of the public domain.¹ They would not object to being removed if they could get a hearing before the United States Courts so that they might establish by judicial decree their rights to make settlement. Colonel Crocker was a valuable accession to the cause for he was a voluble public speaker and had experience as an organizer of the people to promote progressive movements of all kinds. He helped to organize the colony to join Couch and other leaders in to Oklahoma in the spring of 1885. Colonel Crocker was not only a public speaker, lecturer and political agitator but he had in his earlier years learned the newspaper trade. He was an editorial writer as well as a type setter and was familiar with the mechanical work of printing a weekly newspaper.

The boomers had had a paper as an "authorized organ." It was called *The War Chief*. This paper had had a stormy career following the fortunes of the Oklahoma Colony. It had been published at more than a half dozen different places. The fortunes

¹Most of the enthusiastic home seekers did not then know of that clause in the treaty of 1866—whereby the surplus lands of both the Creeks and Seminoles were ceded back to the United States for the purpose of "locating other friendly tribes of Indians and freedmen." While no other Indians or freed Negroes were to be located on the land, yet the government claimed that while the cloud was on the title, no white citizen would be permitted to make settlement. By an Act of March 3, 1885, a commission was appointed to negotiate a new deal with these two tribes whereby the clause as to the "friendly Indians and Freedmen" would be stricken from the treaty of 1866 and the unassigned lands would be, without question, public domain and opened to homestead settlement. The negotiations were concluded and the price agreed upon before the country was opened.

of the Colony were at a low ebb after the death of Captain Payne. *The War Chief* was being printed at a financial loss, at remote places where no advertising patronage could be had. The business men of the border town of Caldwell were anxious to have the paper printed there so that Caldwell might be recognized as the boomer town.

I will here quote from the Colonel's own reminiscence:

"The leading merchants and business men of Caldwell agreed to furnish me about \$500 of locals and advertising matter if I would engage in the publication of such paper. I called on S. C. Smith, member of the Colony, who was a monied man and quite enthusiastic to the opening of Oklahoma to settlement. I talked the situation thoroughly over to him and finally convinced him of the necessity of the publication of a strong weekly newspaper, ably devoted to the Oklahoma question in order to stimulate the drooping movement."

The *War Chief*² did stimulate the cause as thousands of copies were distributed all over the Western states and much interest was aroused in the question of opening Oklahoma country for home-

²The Oklahoma Historical Society has a volume of the files of the *Oklahoma War Chief* that was deposited in the newspaper collection by Colonel Crocker in April 1903. Not all the numbers printed are in this volume but it contains much of the history of the movement that compelled the opening of Oklahoma to settlement. The last issue bound in this volume is dated at Caldwell, Kansas, August 5, 1886, and it is probable that this was the last number of the *Oklahoma War Chief*. This paper was first printed at Wichita, Kansas, and was known as the "authorized organ of the Payne Oklahoma Colony"—A. W. Harris, editor. It was soon moved to Geuda Springs on the border—where it was published a few weeks. It was moved soon afterwards to Arkansas City, Kansas, and the name of W. F. Gordon appears as editor. The paper next appears at Rock Falls which is due south of Hunnewell, Kansas, but across the line in the Cherokee Outlet. The issues printed at Rock Falls bear the name of W. F. Cooper, editor. It was here on August 7, 1884, that the United States troops, under command of General Hatch, captured the press and other material used in the printing of the *War Chief* and the printers were taken to Muskogee as prisoners but no charge was filed against them. The Payne Colony soon purchased another press and other equipment for printing the paper and the next number of the *War Chief* is dated South Haven, Kansas, with one Charles Branscome as editor who was succeeded by W. F. Gordon who was editor and publisher until the death of Captain Payne in November 1884. It was afterwards published for a while at Arkansas City. It was then that Col. Samuel Crocker became associated with other members of the colony and purchased the plant and moved it to Caldwell where it was printed until its suspension Aug. 12, 1896—with Colonel Crocker as editor.

While editor of the *War Chief* in July 1885, Col. Samuel Crocker was arrested at Caldwell by a deputy United States marshal for "seditious conspiracy

stead settlement. Colonies were being organized in Missouri, Kansas, Iowa and Nebraska and a new colony scheme had started in Texas under Joe Works, better known as "Buckskin Joe." Buckskin Joe claimed that his colony was but an auxiliary to the Payne Colonies, all having for their object the opening of the Indian Territory country to white settlement. Everywhere the Oklahoma question was uppermost in the minds of the younger generation. Many thousands were anxious to get homes in the new country. This gave Crocker much publicity and he was generally recognized as one of the leaders of this movement. The Colonel had some influential friends in Congress, including Gen. James B. Weaver of Iowa. He had been the "Greenback" and Farmers Alliance candidate for President of the United States and had been afterwards elected on this ticket to congress from Iowa. He had spoken all over Iowa for Weaver and the Greenback party. Largely through his influence General Weaver became much interested in Oklahoma and was always recognized as one of the leaders in Congress in advocating the opening of Oklahoma to homestead settlement. Weaver had been a general in the Union Army and was an able man and stood high in the United States Congress and there can be no question but that his influence had much to do with the opening of Oklahoma in 1889.

While editor of the *War Chief*, Colonel Crocker not only published the paper, but he delivered many lectures over the country. He kept in active touch with Capt. W. L. Couch and made two or three trips with colony parties down into Oklahoma, having at one time camped for some time on the present site of Oklahoma City near where the Capitol now stands. He tells of all his experiences as a boomer in the biographical sketch of his life now in the archives of the Oklahoma Historical society.

As soon as he got his paper established at Caldwell, he joined the colony party that had organized to again invade the promised

and inciting insurrection and rebellion against the United States Government." He was placed in jail where he remained for several weeks through the hottest part of the season. While in jail he continued to edit the *War Chief* and sent the copy to the office at Caldwell by mail. The case never came to trial and the distinguished prisoner was released from jail. Surely Samuel Crocker was a martyr to the cause of Oklahoma. This incarceration of the editor of the *War Chief* was an impetus to the movement. It was worth more in bringing the question to the people and to the Congress than anything that could have happened.

land. In fact he came prepared to enter actively in to the movement and to be a real boomer. He wanted to familiarize himself with the country and, perhaps, select his homestead, as many of the boomers had done. They felt sure that "squatters' rights" would be recognized even if the country had not been declared open by the authorities at Washington.

In his autobiography, Colonel Crocker tells in great detail of the organization of the colony and of the many incidents of the trip from the Kansas line down in to the promised land of Oklahoma, however most of the story of this trip was concerning his own personal experience. It is quite evident that he had never had much experience "roughing it" but he soon became a real boomer. He learned to cook over a camp fire, although his fellow boomers did not think that cooking was the Colonel's calling. They found plenty of game and had deer and turkey almost every meal.

Colonel Crocker was very busy every moment from the time he became identified with the Oklahoma movement until the country was opened to settlement in '89. He soon became recognized as an authority on the status of the Oklahoma project—he lectured in many places throughout Kansas and wrote many long editorials for the *War Chief*. He did not confine himself in his lectures to the Oklahoma question alone but he discussed many public questions. He was a friend to the "Knights of Labor"—an advocate of fiat money. He denounced J. Gould, the king of monopolists, who controlled the railroads of the country at that time.

An article appears in the *War Chief* which quotes the *Wichita Beacon*, after the Colonel had visited its office. "In the course of his remarks the Colonel said: 'The division of Indian reservations in severalty and the throwing open for purchase of the surplus will culminate the organization of the establishment of an orderly form of government in the territory and will tear down the barriers which are opposed to the advancement and development of the great central west, that discourages railroad building and thwarts enterprises of all kinds and prevents that freedom of intercourse which should characterize contiguous states.' "And Colonel Crocker and his conferees can flatter themselves that they have been the leading factors in bringing about these results. We find Mr. Crocker a man of honest convictions and fearless in the expres-

sion of them. His sympathies seem to be largely with the masses, and always for the oppressed and opposition to the oppressor. He is thoroughly informed in the history of the territory and on the laws in relation to Indian affairs in this section."

The *Wichita Eagle* was always in full sympathy with Colonel Crocker and the boomers. In fact that paper perhaps contributed as much or more than any paper in the United States to the opening of the country to settlement. The *Eagle* makes the following comment on a lecture by Colonel Crocker on January 1886, quoted in the *War Chief* of January 21, 1886: "Hon. Sam Crocker lectured at the opera house last night, his subject being, 'The Oklahoma Question.' While his lecture was an engaging one and listened to by an appreciative audience, the lecture was entirely free and from the standpoint of the people was what might be termed a reflex of principles and the sentiment of boomers. His description of the country was quite interesting and showed he was familiar with its character which he pronounced to be one of the most productive sections of the west; also it was finely watered and timbered. He spoke as one who had traveled fifteen hundred miles in the territory. The speaker seemed to speak from the standpoint of independence and as a representative of the home seeker. He spoke in scathing rebuke of the corruption and favoritism shown certain cattle barons in that country with 60,000 head of cattle while the home seeker would be bounced out of the country summarily by the United States army. His allusion to the Indians was quite practical and he would divest that question of all eastern sentimentality. He reviewed the provisions of a bill which is to be introduced by sanction of the boomers. He stated that the leases of the cattle man were illegal from their very incipency and was made in defiance of the law. He stated that arrests of the boomer heretofore made in the territory were all illegal if allowed to stand the test. He stated that the territory was not the property of the Indians but belonged to the United States by cession made in 1866 and it had been surveyed by the United States as such. He paid high tribute to the boomers, Captain Payne and Captain Couch, and appealed to his hearers to make all just endeavors to have the question settled in accord to the interests of the people and for the whole people."

The leaders of the boomers felt that the country could not be opened to settlement without legislative enactment and their agitation of the question had brought matters directly to the attention of Congress. The boomers sent delegations to Washington, first in '86, headed by Capt. W. L. Couch and the Hon. Sidney Clark. A number of bills were introduced in Congress, having for their subject "The opening of the public lands," but this Congress accomplished nothing in behalf of the settlers, in fact it was strongly intimated that the influence of the cattle men had prevailed as no law was enacted that would advance the cause of the homeseekers.

In Colonel Crocker's reminiscence he tells in detail of the different commissions, of which he was a member, that were sent to Washington, which finally resulted in the opening of the country. This story of Colonel Crocker's gives some real history in connection with the opening of Oklahoma to settlement. It is as follows:

"In February 1888, Dr. Munford, of the *Kansas City Times*, Van Horn of the *Kansas City Journal*, myself and others succeeded in getting up the Kansas City, Interstate-Oklahoma Convention. The convention was held in Kansas City, Missouri, on February 8th, that year. With Captain Couch, Mayor Geo. Riley, of Caldwell, and a good many other delegates, I attended that convention, presided over by Al. Morehouse, then Governor of Missouri. There were many very enthusiastic delegates in attendance, and with many others I addressed that roaring convention, that resulted in the election of a legislative committee of nineteen members to go to Washington, present a memorial to President Cleveland, urging immediate legislation for the opening of Oklahoma to homestead settlement. Captain Couch, Sidney Clark, Dr. Munford, Van Horn, Chief Early, myself and the other members were to leave for Washington on the 13th of that month. Captain Couch was at Wichita and telegraphed me to join him at that city early on that morning, so I turned *The Industrial Age* over to a man named Whiteman and left Caldwell for the trip to the Capitol. I met Captain Couch and we boarded the Frisco train and was soon on our way to Washington to engage in the long and arduous struggle that finally resulted in the opening of Oklahoma to homestead settlement, on April 22, 1889. We all first put up at the

National Hotel, but as the fare at that hotel was too rich for our blood, in three or four days' time we secured quarters at a cheaper place farther up Pennsylvania Avenue toward the congressional building or capitol. Shortly after this I boarded with a Mrs. Snyder on C Street.

Two days after I landed at Washington, Dr. Munford, of the *Kansas City Times*, drove up to the National Hotel and called me out. He said: "Colonel Crocker, get into this cab with me and we will go up to the White House and call on President Cleveland to arrange an audience with our legislative committee as early as possible as I must return home in a few days." I got in and away we drove to the White House. His secretary, Lamont, entertained us a few moments while the president was being engaged in conversation with strangers on some mission, the importance of which I did not learn. Secretary Lamont ushered us into the president's nicely carpeted and suitably furnished room. Dr. Munford had previously formed an acquaintance with President Cleveland. But as he was too timid and not well enough posted on the Oklahoma question he desired me to do the talking with the president. Dr. Munford introduced me to President Cleveland, as being a member of the Oklahoma Legislative Committee and well posted on all the details relating to the committee and the Oklahoma question. The president seemed glad to receive me and after shaking hands with me, said: "Mr. Crocker, what is your pleasure?" I frankly and plainly stated the object of my visit; that it was for the purpose of arranging an audience with him at the earliest possible time convenient to him, to receive the Oklahoma Legislative Committee, that we were there from quite a distance and at considerable expense and anxious to secure legislation for the opening of Oklahoma to homestead settlement. He then plied me with many questions concerning Oklahoma which I readily answered, seemingly, to his satisfaction. So, after about half an hour's conversation on the subject, during which he remained noncommittal, he said: "Mr. Crocker, I shall be pleased to meet the committee you and Dr. Munford represent, on next Tuesday afternoon, promptly at 2 o'clock p. m. and I will give your committee an audience for one hour." Dr. Munford and I shook hands again with him, bid him good day and departed, pleased with the result of our call. The driver of the cab landed us at the National Hotel,

we got out and informed Captain Couch, Sidney Clark, Hon. Dave Harvey, Van Horn and others of the arrangements we had made with the president to receive the Oklahoma Legislative Committee. At the appointed time our committee waited on the president. The Hon. Sidney Clark was appointed spokesman, did the main talking and presented President Cleveland with a copy of the Kansas City Interstate-Oklahoma Legislative memorial. Then all bid the president good day and withdrew from the White House and repaired to our hotels and rooming houses. All of the members of that committee, but Captain Couch, the Hon. Sidney Clark and myself, left Washington for their homes within a few days thereafter, leaving the entire responsibility, the labor and the expense for us to perform and to meet, aside from \$50.00 each, which was raised at Kansas City at the time of the convention, with which to pay our expenses. This small amount hardly covered car fare expenses to Washington. At that time, besides owning considerable property, I had about one thousand dollars in the Caldwell bank; and it is mighty fortunate too that I had that much ready cash at that time, as I could not have returned to the border. Captain Couch, Sidney Clark and I lost no time in advancing the Oklahoma bill before the Committee on Territories. The Hon. William Springer³ was chairman of that committee. He was associated with Congressman Weaver and others devoted in pushing the bill through to its final passage. The bill was finally com-

³The bill pending in Congress in 1888, known as the Springer bill, was the hope of all Oklahoma boomers. It provided for the opening of the unassigned lands for immediate settlement and also made provision for territorial government. It passed the House February 1, 1888, went to the Senate and referred to the Senate committee which reported out and recommended its passage. This report put the Springer bill on the calendar of the Senate but there it was blockaded and its friends could not get it called up for consideration and final passage. While the failure of the Springer bill to become a law was a disappointment to many thousand prospective homeseekers, yet everyone knew that public sentiment was strong for the opening of this land for settlement and it would only be a question of a short time when it would be opened. Few of the enthusiastic home seekers knew or cared that the title was clouded for the reason that both the Seminole and Creek Indians had deeded their surplus land to the government for the specific purpose of locating other civilized Indians and freedmen and not for white settlement. It is true that when the Springer bill was introduced an agreement had been made by the government with representatives of both tribes in which all claims of the Creeks and the Seminoles against the unassigned lands were extinguished by the government agreeing to pay the two tribes an additional sum per acre, which added to the amount paid under the provisions of the treaty of 1866, would make \$1.25 per acre. This agreement had not been ratified when the Springer bill passed the House in 1888 but was ratified only a few days before the President's proclamation.

pleted and ready to be reported and placed on the legislative calendar. Many efforts to call the bill up for consideration failed on account of the stubborn opposition with which it met at every turn. However, it was finally considered and then went over. The emissaries of the cattlemen were numerous, active and daring. They fought the bill in devious ways, early, late and all the time. Then we had to meet other unavoidable abstracts. For instance: On the regular suspension day of each month for four long, tedious and tiresome months, one member of Congress and the other, and one official and the other just happened to die in time for Congress to adjourn on those days in honor of the deceased. Then on other suspension days, alphabetically arranged, when the Springer bill came up for passage, Congressman Barnes of Alabama would rise in his place and object and call for the reading of the voluminous District of Columbia bill to obstruct the passage of the Oklahoma bill. This was aggravating in the extreme, still, we for months had to unwillingly submit to such unstatesman-like tactics, employed in the interest of the cattlemen. I worked hard day and night with Captain Couch and others to get the bill up and put it on its final passage, but all in vain, until near the close of that unruly session of Congress. Then General Weaver, who had been misrepresented through the press as playing into the horny hands of the cattle barons, took the bull by the horns and blocked the wheels of Congress for four long and expensive days in order to force the members of Congress to put that important bill on its passage in the House of Representatives. What a brave and manly fight he made then, to be sure. The daily press came down on him like an avalanche of unescaping destruction. But he never winced. The parliamentary fight went on in all its fury and enormous cost to this great nation until the vote was reached and the bill for the time being was defeated. General Weaver had engendered so much opposition by this unequalled legislative fight for the rights of the homeless, homeseeking poor that it was lost by a very few votes. Captain Couch, General Weaver, myself and other active members skirmished all that night to save the bill. We finally found a member of Congress who promised to move the reconsideration of the bill the next day. He did so and the bill passed the House with quite a majority and was referred to the Senate. I rejoiced as did the others in this long, drawn out fight

and repaired at once to the telegraph office to send the glad tidings to our friends on the border. This was surely an occasion for rejoicing and brave General Weaver came in for many congratulations. I with others tried hard to get the bill up in the Senate, but as Congress was on the eve of adjournment we did not succeed. Congress shortly afterward adjourned.

Captain Couch instead of returning with me to the border went to Iowa with General Weaver and spoke through his congressional campaign, while I set about organizing the Wichita Interstate Oklahoma convention that met on the 20th of November, 1888, in the Opera House on Douglas Avenue. I had enlisted Marsh Murdock of the *Daily Wichita Eagle*, the Board of Trade and the City Council. We all met and talked over the advisability of calling the Interstate Oklahoma Convention at Wichita. I fully explained the object of the convention. They all fell into line and we went right to work and formulated plans to successfully bring it about on the 20th day of the month. I worked with the various committees for several days. After the plan was thoroughly worked out, public notice was given through the daily press, calling a delegate meeting for the Wichita-Interstate Oklahoma convention to meet at the Opera House in Wichita at 10 o'clock a. m., on November 20, 1888. I then returned to Caldwell and called a meeting of the citizens of that city and vicinity for the purpose of electing a delegation to attend the Wichita-Interstate Oklahoma convention, November 20th. The meeting was held in the Opera House, just about one week before the Wichita convention was held. Maj. George Riley gave the welcome address, in which he tendered me the keys and freedom of the city. I was made chairman and delivered an address covering my stewardship at Washington and gave an account of my success at Wichita in arranging for the Wichita-Interstate Oklahoma convention. At the close of which I was complimented with an ovation. The delegates were then selected to attend the Wichita convention and the meeting broke up.

Maj. George Riley, myself and ten or fifteen other gentlemen were elected and, on the night before the convention, we all landed at the Cary Hotel. There we found General Weaver, champion of our cause, Congressman Springer, Congressman Charles Mansur

of Missouri, and other members of Congress who were in attendance at the Wichita-Interstate Oklahoma convention. The next day the convention was held. The Opera House was filled to suffocation. Many speeches were made. Captain Couch, the Honorable Sidney Clark and myself were again selected and urged to go to Washington and push the bill that had passed the House, through the Senate and, hence, open Oklahoma to homestead settlement at the earliest possible moment. This, the last, Interstate-Oklahoma convention, was a roaring success. The convention adjourned and all left for their homes.

Captain Couch and I went to Washington the first week in December, as Congress convened on the first Monday of that month. As soon as we arrived we went immediately to work to get the bill up in the Senate, but after laboring for weeks in vain, we found it so completely pigeonholed in the Senate that we began getting up a substitute bill in the closing days of the session. This was put on foot in February by General Weaver, Springer, Mansur and others. But few days remained to accomplish this task.⁴ The bill

⁴Colonel Crocker in his reminiscence, no doubt refers, not to a new bill, but to the amendment to the Indian appropriation bill. This amendment is generally known as the "Rider" amendment that opened Oklahoma to settlement. This amendment became Section 13—Indian appropriation bill—and is as follows:

Sec. 13. That the lands acquired by the United States under said agreement shall be a part of the public domain, to be disposed of only as herein provided, and sections sixteen and thirty-six of each township, whether surveyed or unsurveyed, are hereby reserved for the use and benefit of the public schools, to be established within the limits of said lands under such conditions and regulations as may be hereafter enacted by Congress.

That the lands acquired by conveyance from the Seminole Indians hereunder, except the sixteenth and thirty-sixth sections, shall be disposed of to actual settlers under the homestead laws only, except as herein otherwise provided (except that section two thousand three hundred and one of the Revised Statutes shall not apply): And provided further, That any person who having attempted to, but for any cause, failed to secure a title in fee to a homestead under existing law, or who made entry under what is known as the commuted provision of the homestead law, shall be qualified to make a homestead entry upon said lands: And provided further, that the rights of honorably discharged Union soldiers and sailors in the late civil war as defined and described in sections twenty-three hundred and four and twenty-three hundred and five of the Revised Statutes, shall not be abridged: And provided further, That each entry shall be in square form as nearly as practicable, and no person be permitted to enter more than one-quarter section thereof, but until said lands are opened for settlement by proclamation of the President, no person shall be permitted to enter upon and occupy the same, and no person violating this provision shall ever be permitted to enter any of said lands or acquire any right thereto.

The Secretary of the Interior may, after said proclamation and not before, permit entry of said lands for town-sites, under Sections twenty-three hundred

was finally drafted as a makeshift measure and approved by the committee and ordered printed. General Weaver came to me and said: "Crocker, how long will it take you to get this bill printed?" "Well," said I, "if I have not far to go to get the work done, in a printing office where there is force enough, I can have that bill printed and place it in your hands in one hour." "How far away from here is the printing office?" "Why, it is almost a mile, away down on Pennsylvania Avenue." "Give me the bill and I will see how quick I can get it printed and return with it." As I took the bill, the attorney for the Santa Fe railroad handed me a dollar, saying: "You may need this." "Now, Mr. Crocker, fetch that bill to us as quick as you can for Chairman Springer wishes to introduce it before adjournment." I shoved the bill into my pocket, ran out and caught the first street car down the avenue and soon landed, a mile away at the printing office. Up the flight of stairs, pulling out the bill from my pocket as I ran, and I suppose, dropped the dollar bill in my haste. I called the foreman's attention to the importance of getting that bill set up and printed on short notice and in the quickest time possible. I suggested that he cut the bill into a dozen pieces, if he had that many printers, so by that means the type would be set in ten or fifteen minutes, as the bill must be printed and introduced that evening. He did so, got the type together and run off quite a number of the bills in little or no time. I grabbed the pile and away I ran to board the first car back to the capitol building, but when I thrust my hand into my pocket the dollar bill was not there, but as luck had it, I found a nickel and made the trip in time. General Weaver and all the party waiting my return however, were greatly surprised at the time I made. But when I explained the method adopted, they all saw through the printer's scheme. Being used to work of this kind, it was an easy problem for me to solve. The makeshift bill was introduced and finally became a law when signed by President Cleveland on the 2d day of March 1889. The bill however, was

and eighty-seven and twenty-three hundred and eighty-eight of the Revised Statutes, but no such entry shall embrace more than one-half section of land.

That all the foregoing provisions with reference to lands to be acquired from the Seminole Indians, including the provisions pertaining to forfeiture shall apply to and regulate the disposal of the lands acquired from the Muscogee or Creek Indians by article of cession and agreement made and concluded at the city of Washington on the nineteenth day of January in the year of our Lord eighteen hundred and eighty-nine.

in such a condition after it passed the Senate that it had to be referred to a conference committee, and Congressman Perkins of Oswego, Kansas, happened to be on that committee and prevented its defeat. As I have said, it became a law and proved to be the entering wedge that finally opened the entire Indian Territory to homestead settlement. Captain Couch and the Hon. David Harvey of Topeka, Kansas, left Washington the last week of February in advance of me. I left on the 25th for the border, but being short of money I returned by way of Chicago in order to get transportation from Chicago. The attorney for the Santa Fe gave me a letter of introduction to James G. Blaine, Jr., who at that time held an important railroad office at Chicago. I called on him and presented the letter of introduction but, owing to his having been changed officially the day before, I failed to secure transportation. I had barely enough money left to reach my parents' home in Iowa where I borrowed \$25 of my mother and hastened on to the border. When I reached Caldwell I at once mortgaged my city property there and proceeded to Arkansas City.

"From there I went to the Oklahoma station, landing in a shower of rain, some time in the night, March 2d. I remained at the depot until the rain was over, then took my satchel and gun and went southwest to where the Wheeler park is located and found David Ross and Jo Pubsley in a tent near the river. I awoke them and they got up and let me in. They were both glad to see me and, more than glad that the Oklahoma bill had passed. We chatted pleasantly until breakfast was ready, then sat down and ate our boomer breakfast. I took my gun and went hunting, then returned for dinner. After dinner we all strolled up to the depot. There I received a telegram from Captain Couch to come at once to Purcell. I rode down there in the cab of the engine with old Mac, the engineer. On arriving at Purcell I found Captain Couch, Congressman Charles Mansur and many others I had formerly become acquainted with. Thousands of homeseekers and not a few of the old time boomers were there in camp, in and about the city. The next day was inaugural day, March 4th, and a meeting was called in a church and it was addressed by Captain Couch, John A. Blackburn, John Furlong and myself. A committee to draft a memorial and suitable resolution to forward at once to President Harrison, urging him to throw the country immediately open to

settlement, was selected. I was made chairman of that committee. I went immediately to the Santa Fe Hotel, kept by A. C. McCord, and began drafting the memorial and resolutions, as the committee left the entire work to me. In less than one hour I had completed the work and submitted my report to the full committee. My report was adopted without any change and forwarded by mail at once to the president. The memorial cited the absolute necessity of throwing Oklahoma immediately open to settlement; that the border was crowded with thousands of homeseekers; that the spring was far advanced and, unless the settlers were not favored at the earliest possible time, it would be too late to grow any kind of crops and great suffering would surely follow an untimely delay. The resolutions embodied the features of the preamble and cattle question that seemed to be somewhat in the way of opening the country that late to settlement. On March 21st, President Harrison issued his famous proclamation fixing April 22, 1889, at high noon, for the opening. I left at once with Congressman Mansur of Missouri, for Caldwell, Kansas. He spoke to quite a large crowd at the Opera house that night upon the opening question, fixed by the proclamation of President Harrison. I also expressed my views about the matter. The people seemed to be greatly pleased to know that the vexatious Oklahoma question had been finally settled. The meeting finally broke up and Mansur and I sought our beds for a long deserved night's rest. He finally went to his home at Chillicothe, Missouri, and I was busy for some time looking after my business affairs that had been neglected for one long year while I had been in Washington helping to get the bill through to open the much coveted country to homestead settlement. By the time I got my affairs straightened up and bought a team and buggy and made suitable arrangements to have that team and a load of provisions, tent, bed and bedding, cooking utensils, dishes, etc., conveyed to Oklahoma on my old claim north of Seventh street, I then took the train for Oklahoma station to engage as time and bookkeeper of Captain Couch's grading gang that put in three quarters of a mile of side tracks, preparatory to the opening of the country to settlement on April 22, 1889. I also shipped quite a lot of pine lumber down to build a home with. On the afternoon of the opening my teams arrived, and it was mighty lucky too that they did, for supplies were difficult to secure

here then, and I fed an array of old boomers at my camp who would have gone hungry but for the provisions I had hauled down.

After the meeting held at Purcell, on March 4th, Captain Couch called my attention to the fact that we four speakers had addressed the people on the Oklahoma question, at Arkansas City just four years previous on inaugural day when Grover Cleveland was inducted into office, president of the United States. It was a rather singular coincidence, nevertheless true, and by no means so arranged by any of the four men who addressed those meetings.

On April 22d I left the grading camp just before high noon and went up the Santa Fe Railroad tracks, opposite to the northeast corner of my claim. Then at high noon I went onto my claim. In the afternoon my teams arrived with tent and provisions, bed and bedding and cooking utensils. I put up my tent and moved in. I secured the filing on my 80 acre claim and then hired some breaking done. My brother Stephen and I went right to work and by the 16th of May, I moved into my new home. It was the first house that was built on a farm claim in Oklahoma. I put in a good garden and planted two or three acres of melons, a patch of buckwheat and two acres of turnips. I had an abundance of nearly everything in the garden line. I sold more than two hundred dollars' worth of melons and turnips, in addition to those used at the house. I then broke out more land for the next year's crop."

In his reminiscence, Colonel Crocker devotes much space to the members of the Payne Colony who had carried on the campaign to open the country to settlement—for years. The writer of these comments was well acquainted with many of these old boomers and knew them to be good citizens—engaged in lawful undertakings. I believe that they should have had some reward for the work they had done, however, many of them never got homes for the reason that they had not complied with the law and proclamation of the President which forbid them entering the land until Noon, April 22, 1889. It is true that they might not have gotten the land they had previously selected but they would have, no doubt, been able to file on good land as they were familiar with the country. I think many of these old boomers were victims of

bad advice. Men to whom they looked as leaders were only trying to find some subterfuge so that they could get on the land which they had selected, before anyone else. Some of the leading men directing the forces of the boomers took the view that if they were on the right of way of the railroad and not on the particular tract of land they would not be violating the proclamation of the president.

Captain Couch and many of his leaders were here near the Santa Fe depot before the opening. The Captain had taken a contract to grade a half mile of side-track for the railroad company and was at work on this grading contract at 12:00 o'clock, April 22, 1889. He claimed that he was in the country legally and lawfully and not on the quarter section he claimed. Colonel Crocker himself was on the railroad right of way acting as "time-keeper" for Captain Couch's grading outfit until noon, April 22, 1889. When the hour arrived they quit their work and ran right out on the choice land they had selected for their homestead near where Oklahoma City is now located. They had selected the rich land in the valley of the Canadian River and its tributaries. They were on their land one hour or more before anyone could have possibly come from the line.

Colonel Crocker located on the NE Quarter of Section 32, Township 12 North, Range 3 West. He went at once to the United States Land Office, which had opened at Guthrie at 12:00 o'clock, noon, of that eventful day. He made homestead entry at the United States Land office at Guthrie upon the tract described; in other words, he got the filing and if anyone else claimed the land he would have to file a contest in the United States Land Office and the rights of the claimants would be determined in a hearing before the Register and Receiver at the Land Office.

Although Colonel Crocker was unquestionably the first man on the quarter section of land he claimed for his homestead, yet in less than one hour after 12:00 o'clock, noon, he found that he had company. He saw a man on horseback cross the railroad and head straight for this particular tract. The man was about 35 years old, a hale fellow and a splendid horseman. His horse was in a lather of sweat as he had run for miles on that bright April day. The rider seemed to know just where he was going and

when he reached the place, he dismounted and stuck a stake in the ground and on the stake was written these words: "*Frank Gault's Claim.*"

Gault was just as familiar with the country as Colonel Crocker or, in fact any of the other boomers. He knew where the city would be built and he wanted his homestead to adjoin the city. He had been with his uncle, "Bill" McClure, in operating the 7 C ranch with headquarters in the Pottawatomie reservation on the south bank of the North Canadian River about fifteen miles east of this coveted quarter section. While their ranch was in the Pottawatomie reservation, yet it adjoined Oklahoma and there was no fence to keep their cattle from grazing on the rich herbage that grew along the valley of the North Canadian in the Oklahoma country that had been forbidden to the cattle men as well as to the homeseekers. Of course these cow hands had to look after the cattle when they strayed over on the Oklahoma side of the line. These boys from the ranch knew where the corner stones were placed by the United States engineers in 1873 and 1874, and they knew just where the best land was and most of them knew the numbers of the land they hoped to homestead.

There being two men claiming the same tract and Colonel Crocker being, not only the first on the land but the first to make homestead filing, it was incumbent upon Frank Gault to file a contest against the entry of Crocker at the United States Land office at Guthrie. Gault engaged as his attorney, Judge Frank Dale of Guthrie, afterwards Chief Justice of Oklahoma, and Colonel Crocker was defended by several able attorneys including Amos Green who was also a very distinguished lawyer. Gault alleged in his pleadings that Crocker was disqualified to hold land by reason of his having been in the country and had taken advantage of his presence to enter the land in violation of the provisions of the law and the proclamation of the President. Crocker's attorneys admitted that their client was in the country but on legal business and he had not entered the tract upon which he had filed his homestead entry until it was lawful for him to do so. It was also alleged that Gault was not a qualified entryman for he could not have possibly placed his stake on the land at the time he did if he had come from the line. The writer of these comments can per-

sonally testify that Frank Gault, Bill McClure and Frank Cook all left the east line, near where the town of Choctaw is now located, at noon. They were there on their horses, with two or three hundred other mounted men waiting for 12:00 o'clock on that historic day. Some of us were watching these three men as we knew that they were acquainted with the country on ahead and when they started we all started in the great race. They got to the site of Oklahoma City before anyone else, not that they had the best horses in the race, but they had sent horses on ahead by some Indian boys who were holding them beside the trail and they changed horses twice before they reached their prospective homesteads.

This was only one of many hundreds of contests filed in the United States Land Office. Most of these cases were the contests against those who claimed no legal rights but had slipped in to the country and had hidden waiting for the country to open. In some instances there would be several of them together and they would swear each for the other that they had left the line at noon and had not violated the law. Several were convicted of perjury committed in the courts and some served short terms in the penitentiary, besides losing their claims.

In the case of Colonel Crocker and many of the other old boomers, a different question was involved. They admitted that they were in the country but that they had a legal right to file on land that they had not entered upon nor occupied before the hour fixed by the proclamation of the President.

The case of Gault vs. Crocker was appealed from the local land office to Washington and Gault was awarded the claim. The case was transferred to the United States Court upon the question of law involved. The litigation lasted seven or eight years and until it was finally determined that no one could take advantage of the fact that he was in the country on legitimate business, or that he was not on the particular tract at noon, April 22nd, to enter upon and occupy it as a homestead before others could come from the line. It was afterwards said that the court ruled that there could be no such thing as a "legal sooner." Colonel Crocker had possession of the land and lived upon it for some two or three years after the opening.

Notwithstanding the fact that Colonel Crocker was rather visionary in some of his political views and loved nothing as well as expressing his views in public speeches and lectures, he was a thrifty man and could see the possibilities of raising something to eat and to sell on his claim as the reader may note. He was also a business man and saw at once the opportunity of making money in the real estate business. In this he was quite successful. He opened an office in the business section of the new city and listed lots and claims for sale. When the prospective settlers arrived he had all the information about the country as well as the fast growing city. He sold and traded quite a good deal of real estate and soon acquired some valuable property of his own. In his reminiscences he speaks of making clear \$7,000 in one year.

Although the Colonel was in business and quite successful, yet he did not relax his interest in politics. He was recognized as one of the leaders in the Populist party, yet never was elected to office, however, he was a candidate for delegate to Congress once or twice.

After the opening of the Sac and Fox and Pottawatomie reservations in the fall of 1891—and the Cheyenne and Arapaho reservation in April 1892, it became necessary to redistrict the Territory for representation in the Territorial legislature, the members of which were to be elected in November 1892. Congress passed an act providing for a commission to redistrict the country. The three parties were represented on this commission. Gov. A. J. Seay for the Republicans, L. P. Ross for the Democrats, and Col. Samuel Crocker to represent the Populist, or Peoples party. The work of this redistricting board is one of the high lights in Colonel Crocker's reminiscence. He writes an interesting story of their trip. The work was to be completed in October 1892. The Commanding officer at Fort Reno, acting upon instruction from Washington, furnished them transportation, a man to drive the four mule team, and also a cook. The commission traveled all over the country recently opened, to get the information necessary to redistrict the state for the election of the second Territorial legislature.

While Colonel Crocker has never been given the credit due him, yet he was one of the first men to advocate "free homes" for

the settlers who had located on the surplus lands in the Indian reservations, after the Indians had been allotted. The homesteaders on Indian reservations were required to pay the government from \$1.25 to \$2.50 an acre, besides the land office fees, before they could acquire title from the government, and also had to comply with the homestead laws as to settlement. The settlers in original Oklahoma had only to comply with the homestead laws and pay \$14.00 as a fee to the land office to procure patent to the land they had entered. The settlers on the reservation lands felt that they too should receive full title to their homestead without paying for the land. These pioneer settlers were not able to pay from \$200 to \$400 to procure title to their quarter sections after they had complied with the homestead laws. They felt that they should be given their title without additional payment, other than the Land Office fees. Thus started the movement for "free homes."

When Colonel Crocker went in to the Cheyenne and Arapaho reservation with the Commission to district the territory for legislative purposes, their first stop was at Cloud Chief, the county seat of Washita County. Quite a large number of the new settlers assembled there to meet the Governor and the other members of the commission. It was an opportunity for him to make a speech. When he spoke of free homes for the settlers, his talk met with the instant approval of his audience. At the close of his address he organized a "Free Homes Club" and the membership included every settler present. This, I believe, was the first "Free Homes Club" in the territory. He made his speech at Arapaho and at Watonga and organized clubs at both of these towns. "Free Homes" afterwards became a political slogan with the political office seeker and Hon. Dennis Flynn became the recognized leader of the movement for free homes to the settlers. Flynn was elected to Congress in the fall of 1893 and was reelected three terms. It was largely through his efforts that the Free Homes bill became a law, however, Colonel Crocker was first to organize "Free Homes Clubs" and initiated the movement to give the settlers free homes.

The Populist party of Oklahoma County indorsed Colonel Crocker as their candidate for congress in the summer of 1896, but the Territorial Convention of that party, when it met in Guthrie

later, nominated J. Y. Callahan, who was afterwards indorsed by the Democrats and was elected in November 1896.

In 1899 he purchased a tract of land southwest of Oklahoma City down on the South Canadian River. There was a spring on this land which possessed wonderful medicinal qualities—while it was not the “fountain of youth” that Ponce De Leon was seeking, yet, according to testimonials, it had great curative virtues. The Colonel had been in poor health for some time but after about six months’ use of this water he became entirely well. He became so much interested in his medicinal springs and the entrancing environment that he spent much of his time there, yet did not give up his business in the city for two or three years. He finally decided to lease his business and resident property and make his home at the farm place, if I may call it such. He made many valuable improvements on the place, fixing up the springs by building stone walls where needed and the erection of houses that he might be able to entertain remunerative guests. He named his resort *Mistletoe Mineral Springs*. He established a depot in the city for the sale of this water and many thousand gallons were sold in the city. While living at Mistletoe Springs the Colonel was not idle; he entered actively in to the work of beautifying and making necessary improvements. To quote from his own story:

“I began quarrying rock and built a stone barn and stone house in to the hillside. I drank of the filtered spring water every day, and just before meals I drank a tin cup of that water as hot as I could take it in to my stomach * ’ * *. In six weeks after I began drinking that exhilarating water I was completely cured and could do as good a day’s work as any man working for me.”

Although he made his home at his resort for several years, recuperating his health, enjoying the tranquility and contentment of this sylvan retreat, yet he kept closely in touch with public affairs and with his business interests in Oklahoma City. His interest in politics never waned and he made speeches in every campaign, always for the progressive candidate. His political views at that time were considered very radical, yet, today, some of his advanced ideas are on the Statute books. He was in every way a progressive, public spirited man and did everything in his power in the interest of the public welfare.

Nothing did Colonel Crocker enjoy better than to attend the reunions of the '89-ers and early settlers. He could always be counted on for a speech—and sometimes a long one. He was a wholesome character, always advocating those things he believed to be right, but never obtrusive. Defeat never worried him for it was his belief that right would prevail in the end. He wrote several books and pamphlets—most all upon political subjects. There is a book in the library of the Historical Society, written by Colonel Samuel Crocker, the title of which is: “That Island—A Political Romance.” It is a well written book, well worth the student's time to read. He advanced ideas that are worthy of consideration. He was an independent and not afraid to think.

Just why he was called “Colonel” I never knew—he never held a commission in the military service, but he was always called “Colonel Crocker.” It is true that he looked the part of a Colonel but had none of the characteristics of the proverbial Kentucky Colonel.

Nowhere in the story has been mentioned anything about Colonel Crocker's wife or family. This explanation closes the manuscript left with the Historical Society:

“One of the most supreme follies of my life has been that I never married, as I believe in marriage and have always in the lawful union of man and wife as being of the most sacred obligations associated with civilization. But having devoted so much of my life to public affairs—I did not marry.”

THE McCURTAINS

BY JOHN BARTLETT MESERVE

Grim and heartrending emergencies confronted the Choctaw Indians as they approached the end of their "trail of tears" to the West. Baffling situations lurked in the formative days which lay before them and these situations were to challenge their tireless efforts to accomplish their own destiny as fate had ordained. The difficult processes in the decades following their removal drew them closer together and finally resulted in a unified constitution in 1860. Then came the Civil War with its demoralizing consequences, to be succeeded by problems of reconstruction due to the enforced adoption of their former slaves into tribal membership. The story is long and quite as interesting as though it were fiction. By this time, a new generation had succeeded the Argonauts of the removal days and to the leaders of this generation was committed the task of adapting these people for the final abandonment of their tribal life. The allotment days were in the offing, the extinguishment of tribal government was approaching and a full investiture of American citizenship was at hand. Through these years of discipline, the tortured soul of the Indian became stimulated to mental activity and the bitter struggle developed those extraordinary characteristics so essential to leadership during this period of his transition. An understanding appraisal of the concluding decades of the tribal life of the Choctaw Indians could not be approached without an acquaintance with the McCurtain dynasty of chieftains. Under the capable leadership of chieftains drawn from the McCurtain family, this powerful tribe was influenced in an intelligent manner and its membership led securely through the concluding years of their political life until the complete erasure of their last frontier was witnessed by Green McCurtain, the last elected chieftain of the Choctaw Nation.

The McCurtain family among the Choctaws was, in so far as its white ancestry was concerned, of reputed Scotch-Irish descent. The original McCurtain immigrant to America may have come from Ulster. The family was one of much importance among the Choctaws from the early days of the last century. The names of Daniel and Thomas McCurtain are found in the census of 1831 of Green-

wood LeFlore District in Mississippi and these two early members, each distinguished by the title "captain" were parties signatory to the¹ Choctaw Treaty of October 18, 1820 at Doak's Stand near the Natchez Road. Capt. Daniel McCurtain also signed the² Treaty of January 20, 1825 and also the famous removal³ Treaty of September 27, 1830 at Dancing Rabbit Creek, in Mississippi. His name is affixed as an interpreter to the⁴ Treaty of January 17, 1837 at Doaksville, in the old Indian Territory.

A family tradition, predicted with much certainty, identifies Daniel and Thomas McCurtain as the eldest of a family of ten brothers, the others being Cornelius, John, Luke, Allen, William, Canada, Samuel and Camper. No records obtain to preserve the names of the parents and ancestry of these brothers and no record of birth or death is available. Canada, Samuel and Camper were enrolled as students at the Choctaw Academy in Kentucky, in 1829, which fact would influence the thought that the parents of these brothers belonged to a more cultural class among the Choctaws. Cornelius had likewise been a student at this academy a few years earlier.

From the grey shadows of tradition among the Choctaws comes the story of an unattached band of Indians known as the Shak-chi-homas, led by Cha-la-homa (Red Fox) as chief, with haunts along the banks of the Mississippi in Western Tennessee. The Shak-chi-homas appear to have entertained but scant regard for the Chickasaws and Choctaws who ranged to the south of this sector, and hunters and trappers of these tribes were cruelly slain. These killings provoked the massacre of the Shak-chi-homa warriors at their town near where now stands the city of Memphis, by the Chickasaws and Choctaws, which massacre is reputed to have taken place shortly before our war of the Revolution. Some 200 women and children were spared and carried away by the Choctaws, but the Shak-chi-homas as a tribe were completely wiped out. An interesting touch of romance enters the picture in the story of Sho-ma-ka, a captive maiden of the Shak-chi-homas, who was carried away

¹Kappler, Vol. II, p. 191.

²Kappler, Vol II, p. 211.

³Kappler, Vol. II, p. 310.

⁴Kappler, Vol. II, p. 486.

and adopted by the Choctaws. This Indian girl married a white man by the name of Cole who subsequently escaped from an enforced residence among the Indians, and became the mother of Robert Cole who was to become a signer of the celebrated removal treaty and a Choctaw leader of much prominence during that period. Coleman Cole, a son of Robert Cole served as chief of the Choctaws in 1874-78 and was a very picturesque and interesting character. A daughter of Sho-ma-ka married⁵ Capt. Daniel McCurtain and another daughter married Garrett E. Nelson, a white man, and became the mother of Mahayia. It is of much interest to know that Mahayia, a granddaughter of Sho-ma-ka the Shak-chi-homa captive maid, married Cornelius McCurtain and became the mother of the three celebrated McCurtain chieftains of the Choctaws.⁶

⁵Rise and Fall of the Choctaw Republic, by Debo, p. 43.

⁶Details relating to the McCurtain brothers, the massacre of the Shak-chi-homas, the story of Sho-ma-ka and the identification of Mahayia, wife of Cornelius McCurtain as a granddaughter of Sho-ma-ka, are generously furnished the writer by the Hon. Peter J. Hudson of Tuskahoma who obtained the same from Mrs. Jackson F. McCurtain (Jane Austin), who passed away on October 27, 1925 at the advanced age of 82 years. It is recognized that some of these statements are at variance with the oft quoted story that Mahayia was of French extraction, her maiden name being Belvin instead of Nelson. Mrs. Jane Austin McCurtain was a lady of high intelligence, culture and probity and was in a position to acquire dependable information from her distinguished husband and other members of the McCurtain family. (See "Jane McCurtain" by Dr. Anna Lewis, *Chronicles*, Vol. XI, p. 1027 et seq.) The writer accords authenticity to the information assembled by Mrs. Jane McCurtain.

In the library of the State Historical Society at Oklahoma City, are two priceless volumes entitled *Depositions in Choctaw Nation vs. United States*, in the Court of Claims. Attention is invited to Vol. I, p. 175 to the deposition of Robert Cole made on January 30, 1838 in Mississippi and to the deposition of Coleman Cole made on February 17, 1838, in Mississippi, Vol. I at p. 844. This latter deposition was made in support of the claim of Sho-ma-ka, of whom affiant says, "that she is my grandmother, belonged to the Shak-chi-homa tribe, that she was very young at the massacre of her tribe by the Chickasaws and others, that her husband escaped, that she is the mother of Robert Cole, my father and that she is now a very old woman, unable to travel and is said to be 120 years old and I saw her twenty days ago." This deposition gives further details of the massacre of the Shak-chi-homas and these two depositions together with another deposition of Coleman Cole at page 202 of Vol. I, are most strongly supportive of the deductions left us by Mrs. Jane McCurtain.

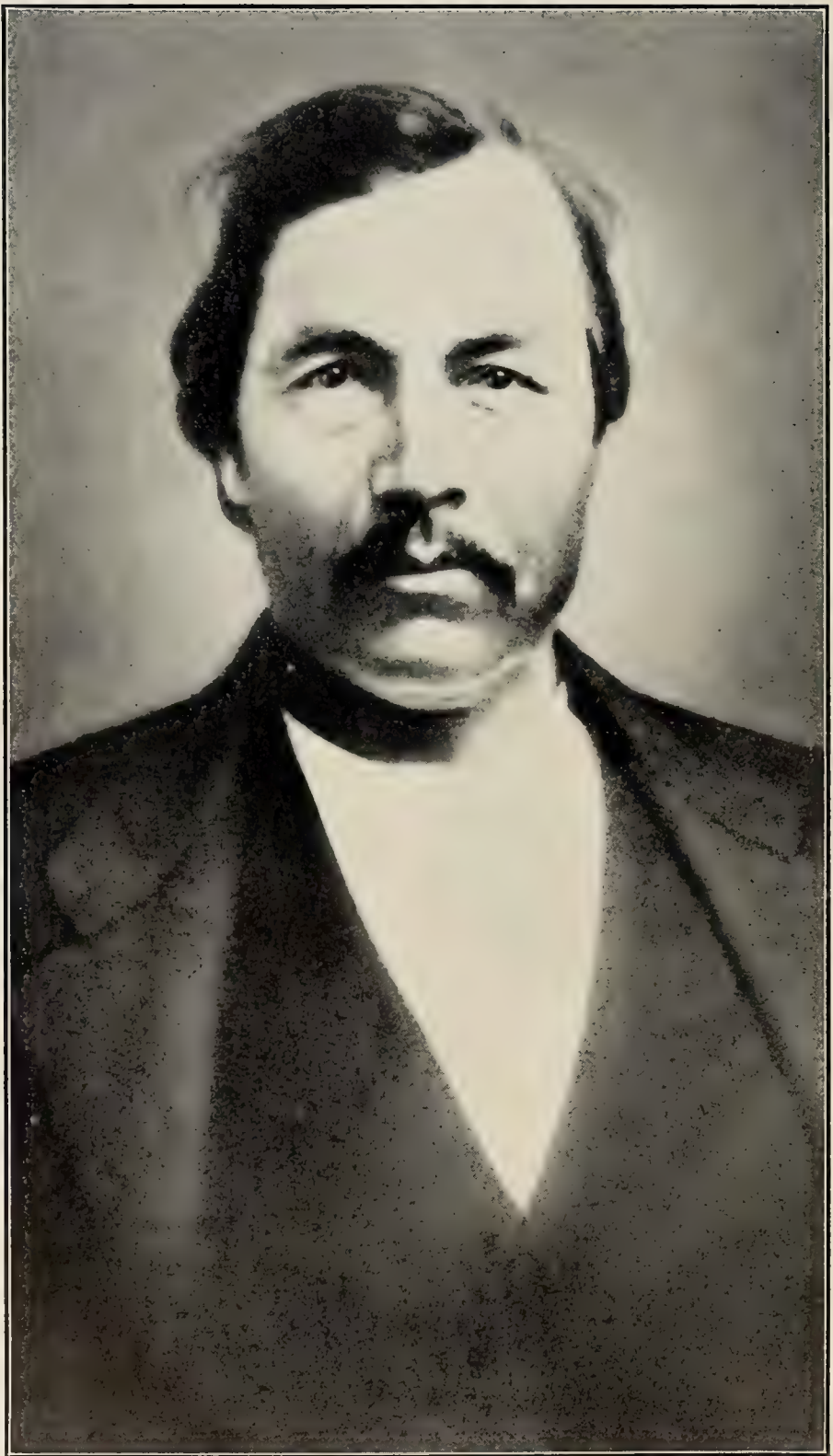
Chief Green McCurtain, in his lifetime often made the assertion that Coleman Cole was a distant relative of his family.

These depositions also make mention of Garrett E. Nelson, the father of Mahayia and of his relationship to Sho-ma-ka.

Some confusion might arise from the fact that the name Mahayia, in English becomes Mahala.

Cornelius McCurtain was born in Mississippi on March 3, 1803 where he was a member of the Lower Town District in the Choctaw country, presided over by Chief Moshulatubbe. He married Mahayia Nelson and came to the old Indian Territory in 1833 with one of the numerous removal caravans of the Choctaws and settled at or near Ft. Coffee where he engaged in farming and stockraising. From those early years the Choctaw domain in the West was divided into three rather semi-independent districts, each presided over by a duly elected district chief. The first or Moshulatubbe District occupied the northern portion of the Choctaw country. In 1849, as a member of the Board of Trustees of the First District, Cornelius McCurtain was a factor in the establishment of neighborhood schools. This modest gesture was the inception of the public school system of the Choctaws in the West. In the fall of 1849, he was elected chief of the First District, which position he held until the fall of 1854. The National Council of the Choctaw Nation which convened at Nanih Waya, the capital, in October 1850, amended the tribal constitution and effected the removal of the capital to Doaksville, in the extreme southern portion of the Nation. This action provoked great opposition throughout the First District and Chief McCurtain and his people declined to recognize all council meetings held at Doaksville by refusing to send representatives. The Indians were influenced by circumstances affecting their own convenience rather than by reason or foresight and the cleavage thus created continued throughout the tenure of Chief McCurtain. Upon the expiration of his term as District Chief, McCurtain was appointed a member of the Board of Commissioners of the Nation to investigate what was termed the orphans' claims. The concluding reference to Cornelius McCurtain is in the act of November 12, 1856 directing payment to him of certain fees for services in this orphans' claims matter. He probably died shortly thereafter and is buried in an unknown and unmarked grave at a place called "The Narrows," some two or three miles northeast of Red Oak in what is now Latimer County, Oklahoma. Mahayia, his wife, known more intimately as Amy, died in 1869 at Ft. Coffee, expressed a desire to be buried by the side of her husband but owing to high water in the streams, the effort was abandoned and she

⁷One mile northwest of the present town of Tuskahoma, in Pushmataha County.



J. F. McCURTAIN, Principal Chief of Choctaw Nation, 1880-04

also rests in an unknown and unmarked grave on the old George Riddle farm between Wilburton and Red Oak, in what is today, Latimer County, Oklahoma.

Cornelius and Mahayia McCurtain were the parents of seven children; Jackson Frazier, who became a chief of the Choctaws; Isabelle, who married George Riddle; Elsie who married George Riddle after the death of Isabelle; David, who was slain by a negro by the name of Charles Brown in April 1874. The negro was killed within a day or so thereafter by Green McCurtain; Edmund, who became tribal chief; Green, who also became a tribal chief and Robert who was slain in August 1874 by Henderson Walker, a son of Ex-Gov. Tandy Walker. This killing occurred at the old Walker home near Skullyville and arose without provocation. Walker fled from the country but upon his return some three years later, the tragedy was avenged by Jack McCurtain and Henderson Walker paid the supreme penalty. David and Robert McCurtain are buried in the old cemetery at or near Skullyville, Oklahoma. It is of interest to note that out of this incident no feud arose between these two outstanding families.

The Choctaw constitution of 1860 wherein features of a tripartite government were carefully preserved, reflected the cumulative experience of the tribal leaders. The executive, whose title was restored from that of governor to that of principal chief, was to be elected for a tenure of two years, being ineligible for more than two successive terms. The national council consisted of two separate branches and the judicial department was composed of a supreme court and inferior district and county courts. Counties were established as political units and the Choctaw government under this constitution was quite analogous to that of the states. The national capital was established at Armstrong Academy, known officially as Chahta Tamaha, in 1863.

Rather coincident with the adoption of the new constitution began the public career of Jackson Frazier McCurtain, whose initial appearance came with his service as representative from Sugar Loaf County to the national council in October 1859. Members of this celebrated family were destined to occupy a most

*Leaders and Leading Men of the Indian Territory, by O'Bierne, Vol. I, p. 140.

prominent and engaging part in the political affairs of the Choctaw Nation from that time until the conclusion of its political life. Jackson Frazier McCurtain was born in Mississippi on March 4, 1830 and three years later came with his parents to the old Indian Territory. Educational advantages during those early years among the Choctaws, were crude and as a consequence, young McCurtain was limited to a couple of years at Spencer Academy, when about 14 years of age. This school, established in 1842, was located about nine miles north of Doaksville.

The Choctaws were the first of the Indian tribes in the West to espouse the cause of the Confederacy at the outbreak of the Civil War and unlike some of the other tribes, were undivided in their preliminary declaration. However, in 1864, with apparent foresight of eventualities in the possible downfall of the Confederacy, Peter P. Pitchlynn, an open and avowed Union sympathizer, was chosen chief of the tribe. The influence and shrewd counsel of Chief Pitchlynn accomplished much toward restoring the status of the Choctaws at the conclusion of the war. Jackson F. McCurtain was a member of the national council when, on June 22, 1861, he enlisted from Sugar Loaf County in the First Regiment of Choctaw and Chickasaw Mounted Rifles and was commissioned captain of company G in this regiment commanded by Col. Douglas H. Cooper, in the Confederate service. In 1862, he became lieutenant-colonel of the First Choctaw Battalion and served with distinction until the close of hostilities. The Choctaw contingent supported the campaign of Gen. Sterling Price in Arkansas and participated in the battle of Poison Springs, in that state on April 18, 1864. They were also engaged at the battle of Honey Springs, in the Territory on July 17, 1863. Under date of July 26, 1864, an inspection report of Lt. Col. Jackson McCurtain, made at Double Springs, C. N., contains this significant conclusion, "Zealous, diligent and attentive to duties. Sober." These remarks by a typical hard boiled army inspector have much significance in the light of his later career.*

Upon the conclusion of the war, McCurtain returned to his home, "The Narrows," some two or three miles northeast of Red Oak and in August 1866, was elected senator from Sugar Loaf

*Records Adjutant's Office, Washington, D. C.

County, in which position he served continuously, by successive reelections, until February 1880. Chief Garvin, who assumed the reins of office in October 1878, died before the expiration of his term and was succeeded by Jackson F. McCurtain on February 20, 1880. McCurtain was at that time president pro tem of the senate, and under a constitutional provision, automatically became tribal chief upon the death of Chief Garvin. In the succeeding August, Chief McCurtain was elected chief by a most substantial vote and was reelected in August 1882 and thus was enabled to serve his people for two consecutive terms as their chief in addition to serving out the vacancy occasioned by the death of Chief Garvin. McCurtain was an aggressive character and accomplished much in establishing a respect for law and its enforcement, among his people, whose respect he enjoyed. It was during his administration that the troublesome controversy over the freedmen was disposed of and these former slaves were adopted into tribal membership. Serious distress oppressed the Choctaws in the winter of 1881, occasioned by a complete failure of crops and in his efforts to relieve the suffering, the chief on his own initiative, expended six thousand dollars of the tribal monies. This action was approved as "timely and patriotic" by the council when it met in the fall and an appropriation was authorized to cover the amount so spent. Perhaps the most outstanding event of his administration was the removal of the national capital from Armstrong Academy to Tuskahoma, in what is today Pushmataha County, Oklahoma. The new and quite ornate capital building was constructed about a mile and a half northeast of the old Choctaw capitol at Nanih Waya from which the seat of government had been removed in 1850, which removal had given so much offense to Chief Cornelius McCurtain. Under the terms of a constitutional amendment promoted by Chief Jackson F. McCurtain and adopted in 1882, the capitol was returned to the earlier scenes of tribal activity and in the fall of 1884, the national council held its first meeting in the new structure and the retiring chief delivered his last message to its members. This historic building, slowly yielding to the elements of time, stands mutely some three miles north of the present town of Tuskahoma, the beautiful prairie valley surrounding it, is today adorned with comfortable farm homes with sentiments of an early heroic past apparently forgot-

ten, but lingering in the background the somber Kiamichis grow lonely and reminiscent as they lift their bared shoulders into the sky.

At the election held in August 1884 and at which Edmund McCurtain was chosen as the successor of Jackson F. McCurtain, the latter was elected senator from Wade County, this being the county wherein the capital was located. Upon the election of Jackson F. McCurtain as chief in 1880, he resided at The Narrows, but in the following year removed to the old Zadoc Harrison place south of Antlers.¹⁰ The removal to the extreme south of the Nation was influenced by the many threats made against his life, because of his vigorous policy in removing the white intruders from the Nation in 1881. These were the years when the militant Judge Isaac Parker occupied the Federal bench at Ft. Smith and exercised complete and final jurisdiction over the white intruders and renegades in the old Indian Territory. A vile and vicious condition was provoked throughout the Territory, by the advent of refugees from the states, crime was rampant and human life unsafe. Chief McCurtain with the assistance of Federal troops and the backing of Judge Parker undertook to drive these forces from the Nation and for his efforts was commended by Judge Parker. In 1883, the chief established his home near Tuskahoma, the new capital, where he died on November 14, 1885. He rests in the old cemetery east of the old capitol building, where his grave is suitably marked.

Chief McCurtain was married twice, his first wife being Marie Riley, a sister of Judge James Riley and after her death, he married Jane Frances Austin on November 28, 1865, who survived him and died on October 27, 1925 and is buried in the old cemetery at Tuskahoma. She was a lady of splendid attainments and served as a private secretary to the celebrated chief during his incumbency. She was a Penelope of wifely devotion to her distinguished husband in his life time and to his memory after he was gone.

¹⁰Attention is called to "Jane McCurtain," by Dr. Anna Lewis in *Chronicles*, Vol. XI, page 1027 et seq., in which statement is made that Jackson F. McCurtain removed to the south in 1868 or 9 and was a senator from Kiamichi County until he became chief. The writer finds himself unable to agree with that statement.



EDMUND McCURTAIN

Chief Jackson Frazier McCurtain was a character of outstanding ability and possessed unusual qualities of leadership. The quarter of a century of his public life among the Choctaws, covers a period of their greatest distresses. It was the rehabilitation years for them following the Civil War. Jack McCurtain closed the reconstruction days in the Choctaw Nation by granting to the freedman the rights of citizenship, and the last hangover controversy from that unfortunate struggle became a closed chapter. His progressive notions are reflected in the charter of the Frisco Railroad through the Nation from Ft. Smith to Paris, Texas, which was accomplished through his efforts. It was during his regime that the menace of the white non-citizenship population began to assume alarming proportions, not so much from numbers as from the contempt and disregard for the tribal authority evidenced by this class. The chief, with the aid of Federal troops met the challenge of this defiant class and forcibly ejected them from the Nation. Chief McCurtain was unafraid in his defense of the rights and immunities of his people. No one ever bought, bulldozed or bluffed Jackson Frazier McCurtain.

The Choctaw electorate at the August election in 1884, selected Edmund McCurtain, a younger brother of the retiring chief, as chief of the Nation for the ensuing term." Edmund McCurtain was born at Ft. Coffee, in the old Indian Territory, on June 4, 1842 and attended the neighborhood schools until he was 17 years old. He was but a lad of 19 years when he enlisted for service in the Confederate army, on June 22, 1861 from Sugar Loaf County, in the First Regiment of Choctaw and Chickasaw Mounted Rifles in company G and was commissioned 2nd Lieutenant. His celebrated brother Jackson was the captain of this company. Edmund McCurtain served faithfully and with credit during the period of the war.

Upon the conclusion of his military service, Edmund McCurtain established his home at Sans Bois, in what is now Haskell County, Oklahoma. The chief claims for distinction of Mr. McCurtain lay in his persistent and most effective interest in the matter of education among his people. In 1866, he was County

"Leaders and Leading Men of the Indian Territory, by O'Bierne, Vol. I, p. 178.

Judge of Sans Bois County; in 1872, he was Trustee of Schools for the Moshulatubbe District and in 1876 he was a representative to the National Council from Sans Bois County. During the years when his brother was chief of the Nation, Edmund was Superintendent of Education for the tribe and rendered a most effective service in procuring tribal appropriations to enable the education of the young people of the tribe at higher institutions of learning in the states. At that time there were no colleges or universities within the Indian Territory, but it is to the great credit of Edmund McCurtain that many of the Choctaw youth were sent to Eastern and Northern institutions at the expense of the Choctaw government, to complete their education—some were sent to Harvard and Yale. One may not overestimate the enduring service of this Indian leader to his people in the matter of their education.

Edmund McCurtain made a most capable public official, but was over-shadowed by the greater statesmanship of his more celebrated brother. Upon the expiration of his term as chief, he declined to submit his candidacy for reelection but supported the candidacy of Thompson McKinney who was elected. He was elected senator from Sans Bois County in August 1888 and also served as a member of an adjustment committee designated to settle certain fees growing out of the old Net Proceeds matter.

Edmund McCurtain married Susan King in 1862 and after her death, married Harriet Austin in 1876. She was a sister of Jane Austin, the second wife of Chief Jackson F. McCurtain. Upon the death of the second wife, he married Clarissa Le Flore, a daughter of Isaac Le Flore, in 1881. He died at Skullyville, while en route to his home at Sans Bois from attendance at a meeting of the national council, on November 9, 1890 and is buried there where his grave is carefully marked. The splendid traditions of the McCurtain family lost nothing by the public service of Edmund McCurtain, its modest and retiring but inflexibly honest tribal chief.

The uneventful term of Edmund McCurtain as tribal chieftain came to its close in October 1886 but the ensuing decade was to present perplexities in the political and economic life of the Choctaw Indians, which defy disposition in one gesture. The old order of things was beginning to slip and the struggle to hold fast to



GREEN McCURTAIN

“life, liberty and the pursuit of happiness” as the Indian understood those terms, was rapidly losing ground. There had been, unrecognized by the Indians, sure and certain evolutionary processes at work among them for years which were to conclude the final absorption of these people into American life. The rank and file and many of their leaders were unable or unwilling to appreciate how utterly untenable these quasi-independent political units were in the midst of American life. The absurdity of the situation did not appear to the Indian. Among the Choctaws, the unchecked influx of white settlers had assumed abnormal proportions and evidences of their influence were becoming apparent. The full blood Indians were in a minority in numbers. The specter of the allotment of their tribal domain and the abolishment of their tribal government again haunted the Indians when Congress created the famous Dawes Commission by the Act of March 3, 1893. The newly created commission contacted Chief Gardner and the Choctaw council in 1894 and in 1895 but were met by a most vigorous opposition to all suggestions of allotment. Sentiment throughout the Nation was openly antagonistic and no effort was spared to defeat the initial endeavors of the Dawes Commission to effectuate the closing out of the affairs of the Five Tribes. The crisis created by this posture of affairs challenged the more conservative leadership of the tribe and it is at this extremity that Green McCurtain enters the picture, and rendered a constructive service of inestimable value.

Green, or possibly Greenwood, McCurtain, a younger brother of Chiefs Jackson Frazier and Edmund McCurtain, was born at or near the town of Skullyville in the old Indian Territory on November 28, 1848. His educational advantages were limited to the neighborhood common schools. He served as sheriff of Skullyville County for one term beginning in 1872 and for three terms as representative to the National Council, being for the years 1874 to 1880 inclusive. From 1880 to 1884, he was trustee of schools for the First or Moshulatubbe District, thereafter becoming district attorney for that district. In August 1888, he was elected national treasurer, to which position he was reelected in 1890. At the expiration of his terms as treasurer, he was chosen to the senate in 1893 for a two year term. During his tenure as national treasurer, it fell to his lot as such official to receive and

disburse among the tribal members, a vast sum of money, far in excess of the statutory bond of \$20,000 which he had given as national treasurer. His service as such officer was of the highest character and these monies, being the so-called Leased Land Payment, were disbursed in a per capita payment of \$103 to the tribal membership by its efficient treasurer. This incident served to impress his people with the staunch character and high integrity of Green McCurtain and enabled him to regiment them to a sane course in the allotment days which were just ahead.

The foregoing service predicated the more important efforts which were to be forthcoming and afforded much necessary experience in political affairs. Political parties among the Choctaws were unknown until about 1890. Green McCurtain became a politician and marshaled his experience, acquaintance, power of office, splendid personal ability and the great prestige of the McCurtain family to which he had fallen heir, behind the Progressive Party and Wilson N. Jones, its candidate for chief in 1890. The opposing party was known as the National Party. Through some irregularity, Jefferson Gardner was the candidate of the Progressive Party for chief in 1894, had the McCurtain support and was elected. During Gardner's regime, Green McCurtain was an influential member of the senate and by reason of party affiliations, should have stood in a strong relation to the chief, but such does not appear to have been the situation. Green McCurtain had been in Washington as one of the Choctaw delegates, in February 1893, when the contemplated Dawes Commission legislation was before Congress. He had obtained at first hand, accurate and intelligent information as to the purposes in contemplation by the administration in relation to winding up tribal affairs in the Indian Territory. Having this more detailed information, McCurtain joined issue with Chief Gardner who was extremely antagonistic to the allotment policy of the government, and counselled efforts to reach an adjustment of differences with the Dawes Commission. The council, to which he addressed himself declined to approve his suggestions, but his effort had provoked much discussion throughout the tribe. Meetings were held at various localities and were addressed by McCurtain, in an effort to bring his people to a sense of their danger unless the policy of the government was recognized and some gesture toward a com-

promise was made. A delegate convention was held at Tuskahoma on January 23, 1896, addressed by Green McCurtain but which accomplished nothing, due largely to what had now become the passive opposition of Chief Gardner who declined to make any overtures. He refused to summon a special session of the council to consider the matter.

In the midst of this chaos, approached the national election of 1896 with its preliminary campaign features. The leaders who favored a recognition of the Dawes Commission and the making of some sort of an agreement with them, formed a new party called the Tuskahoma Party and named Green McCurtain as its candidate for chief. Fortunately, the opposition was split up into three factions, the Independent-Nationals, with Chief Gardner, Full blood Nationals with Jacob B. Jackson and the old Progressive Party with Gilbert W. Dukes. McCurtain was elected but the combined opposition cast a majority of the votes.

In October 1896, Green McCurtain became chief of the Choctaws and the tribal government was committed to the allotment in severalty of the tribal domain and a policy which was ultimately to lead to the extinguishment of the political status of the tribe. A majority of the council were of the Tuskahoma Party, and with this backing the new chief took vigorous steps to accomplish an adjustment of the allotment matter with the commission. With marked rapidity, he moved from one conference to another and placed the Choctaws in the position of advantage of being the first of the five tribes to reach an agreement with the commission. This was the so-called Atoka Agreement of April 23, 1897, embodied as Section 29 of the Curtis Act of June 28, 1898 and approved by a vote of the members of the tribe. This fact evidences two actualities, first, that through his matchless courage and marked ability, Chief McCurtain had broken down the most persistent opposition and converted his people to the wisdom of his policy, and second, that the Choctaw people had great confidence in his judgment and integrity.

The Atoka Agreement remained an issue in the campaign of 1898, but Chief McCurtain was easily reelected with a safe majority in the national council to support him. The second term was rather uneventful and at the election held in August 1900,

Chief McCurtain being ineligible for another reelection, sponsored the candidacy of Gilbert W. Dukes, the candidate of the Tuskahoma Party who was elected. The main event of the term of Chief Dukes, was the negotiation and subsequent campaign for the ratification of the so-called Supplemental Agreement. This agreement was actively supported by McCurtain and was ratified by an overwhelming vote on September 25, 1902. This agreement lingered as an issue in the campaign in the fall of 1902 wherein McCurtain again secured the nomination of the Tuskahoma Party and was again chosen chief of the tribe. The campaign was quite bitter and Chief Dukes bolted his party and supported Thomas W. Hunter who opposed the Supplemental Agreement. The decision was close and Chief Dukes attempted, by force, to foreclose the efforts of McCurtain to take over the reins of government. The United States Indian Agent and Federal troops from Ft. Reno were called upon to protect the judges who canvassed the final returns which gave the decision in favor of McCurtain by a large majority. After considerable maneuvering, the opposition melted away and the orderly processes were respected. The election of August 1902 was the last general election held in the Choctaw Nation and Chief Green McCurtain was its last elected chieftain. The district and county governments were liquidated and wholly ceased to function after 1906. The other departments of the tribal government gradually ceased, but the power of the chief seemed to grow in importance as details affecting citizenship rolls, allotment deeds and individual disbursements were presented. Many complicated interests demanded his executive direction and rendered his continued service of inestimable value to the officers of the government. He was called to Washington upon repeated occasions by the authorities of the Interior Department. Green McCurtain was a great executive, a wonderful administrator and the outstanding leader among his people. He remained the chieftain of the Choctaws until his death.

In his very early life, Green McCurtain had engaged in the mercantile business. He later became interested in the cattle business, but his profession was the law. He was a most eloquent and fluent speaker, but always used the Choctaw language in his addresses. He spoke the English in conversation. He was a man of fine physical proportions, standing six feet and two inches and



JUDGE D. C. McCURTAIN

with a normal weight of two hundred and twenty pounds. Chief McCurtain was married twice, his first wife being Martha A. Ainsworth, from whom he became separated later, and second, Kate Spring, a daughter of John and Sallie (Anderson) Spring. She died May 15, 1934 at the advanced age of 79 years. He is enrolled opposite roll number 8535 on the Choctaw rolls as shown by census card number 2901.

Green McCurtain, the last of the McCurtain dynasty among the Choctaws, the last of the Shak-chi-homa chiefs of that tribe and the last elected chieftain of this historic tribe of Indians, passed away at his home at Kinta, in Haskell County, Oklahoma, on December 27, 1910 and is buried at his old home at Sans Bois, some five miles east of Kinta, where his last resting place is marked by an enduring monument provided by the Choctaws.

In his comfortable law office at Poteau, Oklahoma, sits David Cornelius McCurtain, eldest son and child of Green McCurtain and Martha A., his wife. This son of the illustrious chieftain was born at Skullyville, Oklahoma, on January 29, 1873. He was educated in the common schools in the old Indian Territory and later in September 1890 enrolled at Roanoke College, at Salem, Virginia, and at Kemper Military School, at Booneville, Missouri in September 1892. He entered in his law course at Missouri State University in September 1895 and at the Columbian, now George Washington University at Washington, D. C. in the fall of 1901. He was admitted to the Choctaw bar in 1898 and before Judge W. H. H. Clayton in 1903. In 1896, he was appointed clerk of the district court of Moshulatubbe District by Judge N. J. Holson which position he held until elected district attorney of that district in 1898, being reelected in 1900. He was appointed a delegate from the Choctaw Nation to Washington, in 1901, in which capacity he served until he resigned to accept the appointment of Choctaw Attorney in 1907. This position, he held until 1912. During these years, he had established his residence at McAlester, Oklahoma, and was named mayor of that city in 1913. He later removed to Poteau, to the historic scenes of his brave Choctaw ancestry and resumed the general practice of his profession. The good people of Le Flore County, have honored him upon repeated occasions. He was elected County Attorney of that county in 1918 and reelected in 1920. Upon the

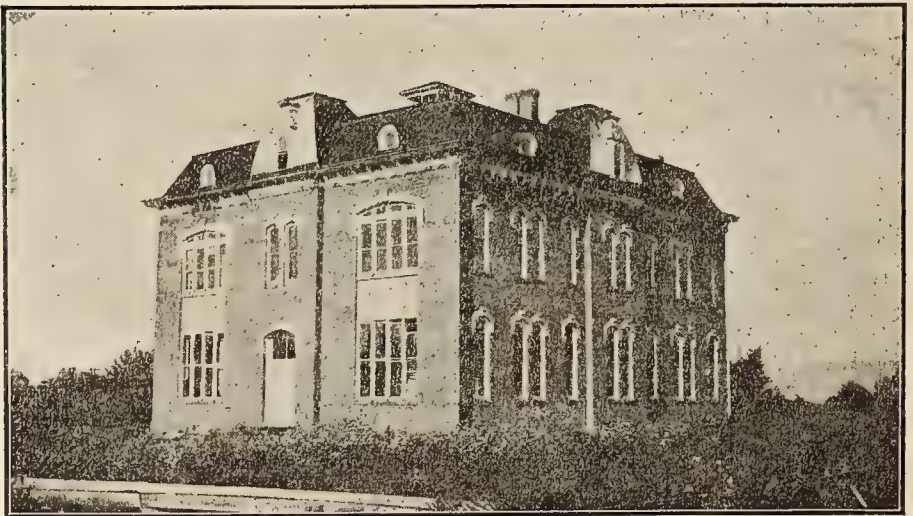
expiration of his second term, he was elected county judge and reelected. In January 1925, he was named by Governor Trapp, as district judge of the 5th judicial district and was twice thereafter to be reelected, occupying the position for ten years.

D. C. McCurtain has been one of the outstanding attorneys of Eastern Oklahoma, both before and since statehood. During his tenure as tribal attorney, he was privileged to aid by his effort in the settlement of many of the much controverted questions of law in the new Indian country. These questions are now quite academic, but made so through the tireless efforts of attorneys of the character and ability of Judge McCurtain.

He was married to Kate N. Mitchell on June 5, 1895, his second marriage being to Kate H. Partridge, a widowed daughter of the late Capt. C. C. Mathies, on November 12, 1921. He has a family of four living children, two of whom are sons, so the McCurtain dynasty will probably continue.

Judge McCurtain is a member of the Methodist Church and a 32 degree mason. He is a gentleman of integrity, a good lawyer, a fine citizen and highly respected and loved by those who know him.

The thoughtful student of Choctaw Indian history, will readily appreciate how incomplete will be his research of the annals of that powerful tribe without paying a respectful homage to the celebrated McCurtain chieftains.



CHOCTAW COUNCIL HOUSE—TUSKAHOMA

A BLUFF SHELTER IN EAST CENTRAL OKLAHOMA

By H. R. Antle

In the fall of 1934 the writer excavated a large bluff shelter located one mile east of the City Lake of Ada, Oklahoma. Due to the find being in a previously unreported region and as reports on this type of habitat are so meagerly given in the previous issues of the *Chronicles of Oklahoma*¹ justification for the present article's publication is expressed.

The shelter is located in a deep, water-worn canyon whose sides are marked with jutting boulders, bluffs and small caves. A twelve foot thickness of cherty conglomerate contains the bluff under discussion. From all geological evidence water erosion carved the formation into its present shape at a time when the stream level was at that height.

The shelter opens to the east and overlooks a permanent stream twenty feet below. The area is crowded with many different species of trees and shrubs. A narrow ledge enables one to go up or down the canyon to the other caves and bluffs.

In measuring the extremes of the opening, the depth from front to back, height of the ceiling at front and back, the following dimensions were recorded:

Opening width	36 feet
Rear width	14 feet
Depth, front to rear.....	16 feet
Ceiling height, front	8 feet
Ceiling height, rear.....	3 feet

The floor debris was on an average of twelve inches in thickness. The material composing it consisted of disintegrated rock from the ceiling intermingled with dust and ancient campfire ashes. This substance was examined in sections one foot square

¹*Chronicles of Oklahoma*, Vol. III; page 243. Secretary's Report, Jos. B. Thoburn, Aug. 4, 1925.

Chronicles of Oklahoma, Vol. IV; pages 144-145. Oklahoma Arch. Explorations in 1925-1926, Jos. B. Thoburn.

and sifted to recover any artifact that might have been present. As each article was removed its position was noted as to vertical and horizontal position and recorded on a sectional map of the floor. All indications of a pre-historic occupancy were found not less than eight inches deep.

In the most northern portion of the shelter and lying ten inches deep, a well-polished fist hatchet was found alongside a pile of mammal bones. As they were split into many fragments an identification was impossible.

As work progressed toward the rear, charcoal in an increasing amount was found. In the very back of the shelter and at a point where experiment proved the best draft could be obtained, great deposits of ashes and charcoal were uncovered. As they were topped with several inches of debris, hard-packed to the point that a pick had to be used to loosen it, its antiquity cannot be doubted.

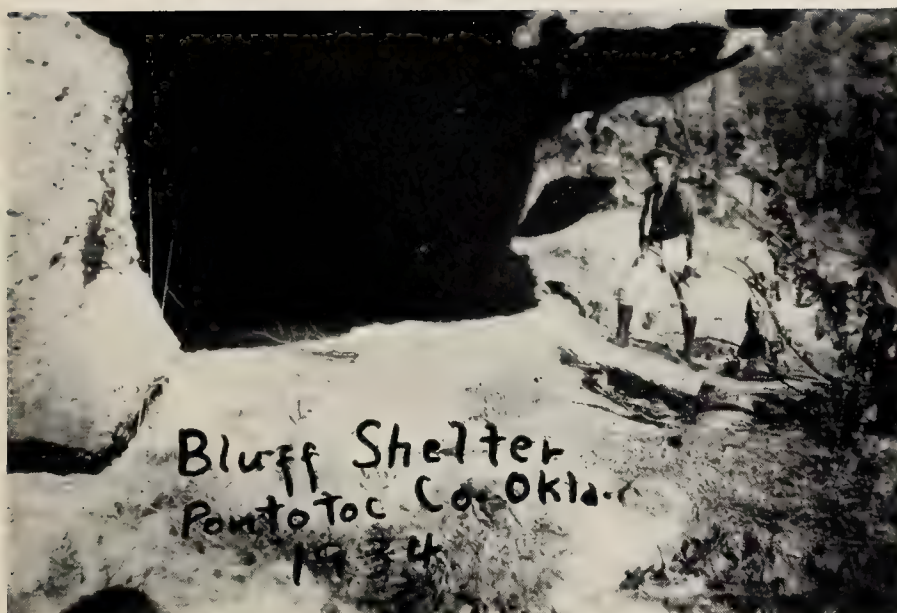
Over the floor and nearly on the same level with the camp-fire site, flint spear and arrow points, whole and broken, were found. A pit, ten inches deep and eight inches across, at the southern extreme of the opening yielded five arrow heads and about a quart of roughly-dressed flakes.

No pottery, ornaments or vestiges of such were found.

Signs that the shelter was formerly a permanent habitation were not indicated. Lack of domestic utensils among the finds bears out this conclusion.

As bluff shelters are quite a common type of pre-historic habitation sites of rugged country, a brief description regarding them will be given. As a rule the site was chosen with an eye to proximity to water and shelter from the elements. Variations range from simple camps at the base of a jutting rock to elaborate cliff dwellings. In any rough country, with the above two factors included, excavation at the base of almost any protected area will reveal archaeological material of more or less importance.

Considering only the cave-dwellers and bluff-dwellers of this state, doubt is expressed whether they were a distinct cultural group or not. Research has not been carried to the point where



H. R. ANTLE, Bluff Shelter in East Central Oklahoma



DRAWINGS OF BLUFF SHELTER

a definite statement can be made. However, studies of cave dwellings in the Ozarks of Missouri and of cave deposits of Northwestern Oklahoma² have brought to light interesting facts regarding the people responsible for them. Various estimates have been given for the age of certain sites in the Ozarks, the finds in Jacob's Cavern, McDonald County, Mo., for instance, being placed at 1226 B. C.³

The writer theorizes that any bluff dwelling in the region herein reported is merely a camp, either temporary or permanent, of some former pre-historic race whose regular abode was in some local village, the camp being used by occasional hunting or war party. Within the last three years, two villages have been excavated within twelve miles of the bluff shelter reported in this article.⁴

Being protected, material from bluff and cave shelters is generally in an excellent state of preservation. Future studies of such habitats will doubtless reveal many interesting facts about the pre-history of Oklahoma.

²*Chronicles of Oklahoma*, Vol. III, page 243. Secretary's Report, Jos. B. Thoburn.

³Estimate of antiquity made from cross-sectional study of pottery and bone fragment inclusions in stalagmites of cave. Anthropological Papers of the American Museum of Natural History, Vol. XIX, pages 297-335, Dr. Vernon C. Allison.

⁴*Chronicles of Oklahoma*, Vol. XII, pages 444-446. Excavation of a Caddoan Earth-Lodge, H. R. Antle.

Chronicles of Oklahoma, Vol. XIII, pages 191-195. Report on an Archaeological Site, H. R. Antle.

THE HISTORY OF CAMP HOLMES AND CHOUTEAU'S TRADING POST

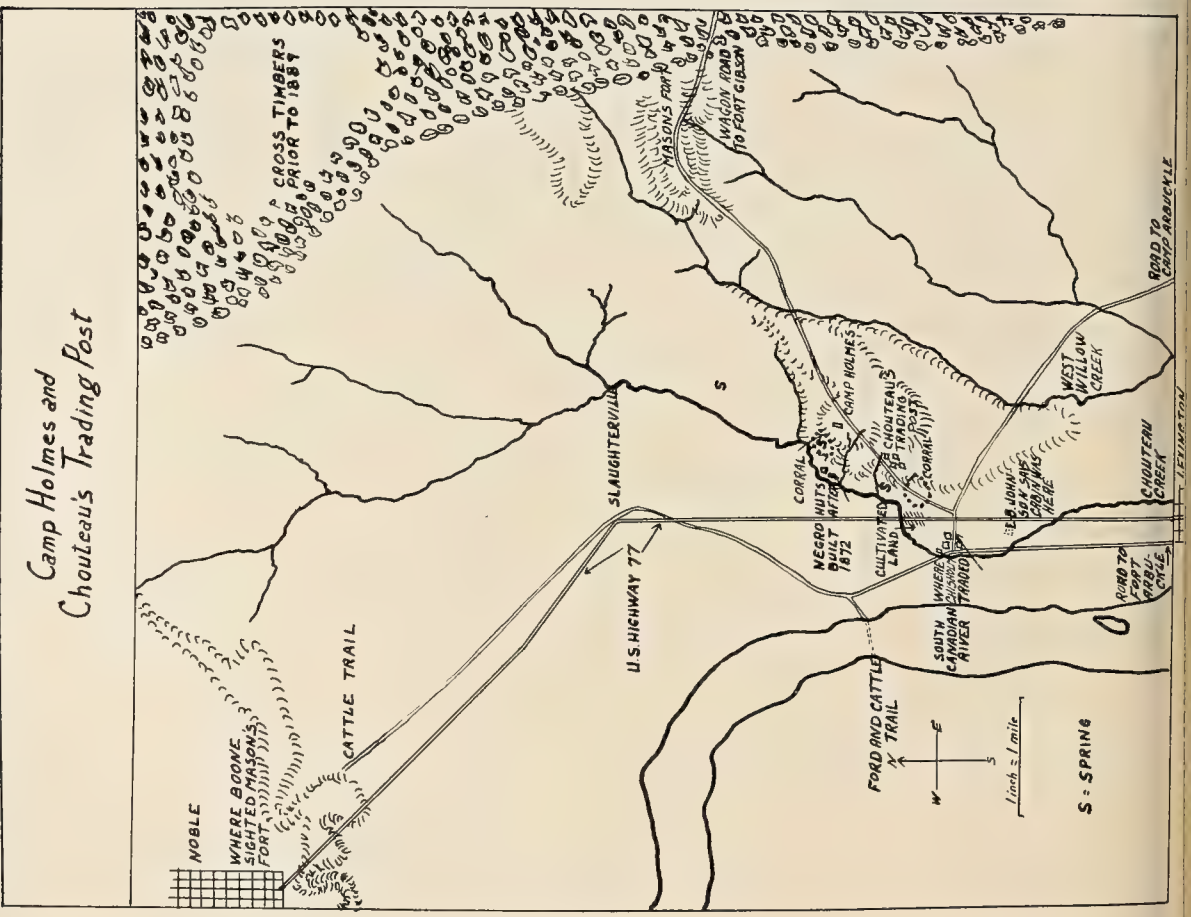
By Howard F. Van Zandt

One hundred years ago in the summer of 1835 there was founded in the southern part of what is now Cleveland County, Oklahoma, a frontier military post known as Camp Holmes.¹ Closer to Oklahoma City even than Fort Reno which was established forty years later, Camp Holmes was in its early history of considerable importance to the United States Army in its effort to pacify the wild Indians of the plains.

Although the Camp was occupied by troops but a short time, its value did not disappear with the retreat of the soldiers, but continued until its destruction just before the opening of the Unassigned Lands in 1889. Close by there was for a time an outpost of the Missouri Fur Company under the direction of one of the intrepid Chouteaus. Later the trading post became a station on the Forty-Niners' trail through Oklahoma where the gold seekers might obtain their last supplies before leaving civilization. Jesse Chisholm, frontiersman and trader, used it in his trading with the Indians and the emigrants to California. The Kichai Indians preceded Chisholm, and formed a part of his market until the Civil War period. With the death of Chisholm it became a favorite camping ground for the Comanche Indians on their buffalo hunts. Whiskey peddlers, cowboys, negroes, ranchers, and outlaws; all these types of people used it, and for short periods called it home. Its final duty was to serve as an Indian payment station and trading post. At last it gave way to the onrush of Eighty-Niners, and today scarcely a sign remains.

The immediate reason for the establishment of the camp was the hostility of the plains Indians toward the civilized tribes being moved into the Indian territory. The Comanche and Kiowa were relentless warriors, and not the least inclined to accept the

¹Also Fort Holmes and Camp Mason. Care must be taken to distinguish it from Old Fort Holmes built at the mouth of Little River near what is now Holdenville in 1834.





Dr. Charles N. Gould holding fragments of pot and saw at Camp Holmes.



E. B. Johnson and Prof. M. L. Wardell at site of dugout South of Norman

encroachments of the Indians from the east in a peaceable manner. As early as 1829, Sam Houston during his exile in the vicinity of Fort Gibson suggested that a mission be sent to the west to compose the differences among the Indians. He realized that unusual tact would be required, and suggested to General Matthew Arbuckle that Auguste Pierre Chouteau be the man to head the expedition.²

In the autumn of 1833 the Osages brought the matter to a critical stage by carrying the war into the plains and destroying a Kiowa village in the Wichita mountains. The government decided to use the return of some of the captives taken by the Osages as a means of initiating negotiations with the plains tribes. Successful in obtaining one prisoner, a Kiowa, an expedition set out in the summer of 1834 under the leadership of Col. Henry Dodge and General Henry Leavenworth.³

The trip was partly successful, and the Indians sent representatives to Fort Gibson where definite plans were made to the effect that: "When the grass next grows after the snows, which are soon to fall, shall have melted away . . ." a meeting would be held in the buffalo country at which a treaty would be presented for consideration.⁴

In March, 1835, the Secretary of War commissioned Governor Montfort Stokes, General Matthew Arbuckle, and Major F.W. Armstrong to hold a conference with the Comanche, Kiowa, and other western tribes at Fort Gibson.⁵ This, however, proved impossible. The Comanche had sent a war party into Texas, and the remaining bands were on hunting expeditions. They would not be back until corn was ripe for eating; and in any case felt that the government should keep its promise to hold the meeting in the buffalo country.

Accordingly, the commissioners ordered Major R. B. Mason with a detachment of dragoons to the headwaters of Little River

²Retired Classified Files, Indian Bureau, July 8, 1829, as cited by James Marquis in *The Raven*, (Indianapolis, 1929), pp. 113-114.

³See T. B. Wheelock, "Journal of Col. Dodge's Expedition from Ft. Gibson to Pawnee Pict Village." *American State Papers*, Class V, Military Affairs, (Washington, 1860), pp. 373-382.

⁴For full discussion of this meeting see Grant Foreman, *Pioneer Days in the Early Southwest*, (Cleveland, 1926), pp. 153-154.

⁵Secretary of War Cass, to Stokes, Arbuckle, and Armstrong, Mar. 23, 1835. Indian Office, Letter Book no. 15, 195, as cited by Foreman, *Op. Cit.*, 159.

to establish a camp to be used as a council grounds in the event the western Indians could not be persuaded to come east through the cross timbers to Fort Gibson.⁶ On May 18th, 1835 Major Mason left, striking out for a point one hundred fifty miles southwest where he would be in touch with Holland Coffee's trading post on the Red River. It had been learned that the Mexicans planned an attack upon the Comanche, and had warned Coffee to abandon his post, which was within the boundaries of the United States.

Mason, finding that a meeting at Fort Gibson was out of the question, established a council ground called Camp Holmes and sent word for the Indians to assemble. In order to prepare the way for the treaty commissioners it was considered necessary to build a wagon road. Detailed to this assignment was Lieutenant A. F. Seaton and a force of thirty men. In the month required to perform this task excessive rains forced the little party to take refuge for eleven days on a ridge near Little River. Seaton became quite ill during this period as a result of wet clothing. He never recovered, and died in Fort Gibson in November at the age of 25.⁷

Soon after the establishment of the Camp, the western tribes, numbering possibly seven thousand Indians, began to assemble, making their camp eight or ten miles away from Mason's encampment. The attitude of the Indians was quite unfriendly, in fact so menacing that Mason was obliged to send back for reinforcements. Under the leadership of Captain Francis Lee, two companies of the Seventh Infantry, numbering one hundred men proceeded at once to the rescue, taking with them a piece of ordnance.⁸

On August 6th, General Arbuckle and Governor Stokes set out accompanied by delegations from the Creek, Osage, Seneca, and Quapaw tribes, and escorted by two companies from the Seventh Infantry under Major George Birch. On their arrival at the Camp, the military force totalled two hundred fifty men.

⁶*Ibid.* 160.

⁷*Ibid.* 161.

⁸*Ibid.* 162.

The treaty preceded by the bestowal of presents from the government⁹ was finally signed on August 24, 1835.¹⁰ The treaty in addition to clauses of amity and friendship granted passage through the western country for citizens of the United States en route to Santa Fe and Mexico. It permitted the immigrant Indians to hunt and trap beyond the Cross Timbers to the western limits of the United States.¹¹

Although the treaty did not contain a very detailed description of the place where it was signed, it did state "... at Camp Holmes, on the eastern border of the Grand Prairie, near the Canadian river in the Muscogee nation . . ." the various tribes and the United States entered into the agreement. The Camp itself although in country given by the government to the Creeks, or Muskogees as they are often called, was still claimed by the plains Indians. To the latter, it must have been difficult to understand by what right the white man had ceded Oklahoma, their native land, to the strange Indians from the east.

In 1835 soon after the treaty was signed, Col. A. P. Chouteau erected a small stockade fort near the site, and carried on a considerable trade with the Comanche and associated tribes. James Mooney, chronicler of Kiowa history, describes the location thus: "The exact location of Camp Holmes and Chouteau's Fort was at a spring on a small creek, both still bearing the name of Chouteau, on the east or north side of South (main) Canadian river, about 5 miles northeast of where now is the town of Purcell, Indian Territory."¹² Chouteau's reason for building his post at this point, west of the Cross Timbers, was to favour the prejudice the plains Indians had against traveling east through the forest. Despite their treaty of friendship with the Indians of the woods and prairies, the plains Indians would not trust themselves out of their native country.

⁹Eleven thousand dollars was set aside for the expense of securing the treaty, much of which was to be spent for presents. Less than ten thousand dollars was required. "Letter to Lewis Cass, Secretary of War from Stokes and Arbuckle," Fort Gibson, September 23, 1835, Office of Indian Affairs, Washington.

¹⁰C. J. Kappler, "Treaty with Comanche, etc." *Laws and Treaties*, II, (Washington, 1903), p. 435.

¹¹Grant Foreman: "100 Years Ago" *The Daily Oklahoman*, (Oklahoma City, August 25, 1935), Section C. p. 16.

¹²James Mooney, "Calendar History of the Kiowa Indians," Bureau of American Ethnology, *Annual Report of 1895-6*. (Washington, 1898) part 1, p. 257.

Since the Kiowa had left before the conference, it was necessary to seek a treaty with them so as to put them under the same restrictions as their neighbors. With this in mind, Major P. L. Chouteau, sub-agent for the Osages, was commissioned to proceed west, and invite the Kiowa to come to Fort Gibson. Chouteau made his trip in the winter of 1835-36, and secured a promise that in the following summer they would meet in Fort Gibson.¹³

Major P. L. Chouteau made another trip in the winter of 1836-7, accompanied by his son, Edward, and Doctor Richie. The Major and Doctor Richie stayed until May near Camp Holmes with Col. A. P. Chouteau who was at that time trading with the Indians at his new post. Edward Chouteau visited the Comanche and Kiowa at their winter camp beyond the Red River, and found the Comanche dissatisfied with the treaty. Although this dislike for the treaty almost led the Indians to destroy Chouteau's Trading Post with its inhabitants, their temper apparently improved with the approach of summer. This change was demonstrated in May when a war party released three women and children prisoners to Major Chouteau at the post. The Major returned to Fort Gibson that month, taking with him a deputation of Kiowa, and Wichita. They were joined soon after by the chief of the Tawakani,¹⁴ and a treaty signed on May 26th.¹⁵

Despite the promises contained in the various treaties, the plains Indians behaved so menacingly that the government was much concerned. The summers of both 1836 and 1837 brought many hunting parties of the eastern tribes as well as white men onto the plains. The presence of so many tribes in the same territory gave opportunities for fighting that the government wanted to avoid at all costs. Chouteau attempted to avert it by cautioning the Delaware, Creek, Shawnee, and Choctaw to stay in their own territory lest an unfortunate "incident" might start the conflagration.

The independence of Texas was still challenged by Mexico. Trouble between the embryo republic and the mother state was

¹³"Chouteau to Stokes and Arbuckle, April 19, 1836, and April 25, 1836," Indian Office, Choctaw Agency, Western Superintendency, 1836. S. 275, as cited by Foreman, *Pioneer Days*, etc., pp. 224-225.

¹⁴*Ibid.*, pp. 225-227.

¹⁵Kappler, *op. cit.* II, p. 363.

expected momentarily. It was reported that the Mexicans were urging the Indians to take the war path against the Anglo Saxons both north and south of the Red River. This added to the growing restlessness of the plains tribes.

On April 7th, 1837, Col. A. P. Chouteau was commissioned to go among the western Indians and make further treaties between them and the United States. One of the problems had been to convince them of the size and strength of the country of the white men. The Comanche, for example, on their visit to Fort Gibson had developed the opinion that the entire strength of the country lay in the little garrison and settlement there. Moreover, they felt that the whites were subjects of the Eastern Indians. The latter at any rate they considered the more powerful of the two.¹⁶ In order to destroy this illusion, Colonel Chouteau was authorized to collect representatives from the Kiowa and Comanche tribes, and take them to Washington in the winter. It was hoped that they could meet at Camp Holmes in the autumn. Accordingly, in October Major Chouteau was ordered to go to the Camp to find out if the Indians wished to meet on the plains or would prefer Fort Gibson. Unfortunately, the plans for the tour of the East were abandoned, and both the inhabitants of the urban centers of the Atlantic Coast and the Indians missed a rare treat.

Col. A. P. Chouteau left Fort Gibson in November to negotiate with the Indians. Accompanied by a detachment of dragoons led by Captain Eustace Trenor he arrived at Camp Holmes and his trading post on the twenty-fourth. Two days later, the Captain returned to Fort Gibson, leaving behind Lieutenant L. B. Northrop and twelve men, together with the necessary transportation facilities, and subsistence to last during the winter and spring.¹⁷

Colonel Chouteau made three reports to the Commissioner of Indian Affairs from Camp Holmes in November and December, 1837, each of which is quite interesting. He found that the Indians were widely scattered and at war; and that the chief source of trouble lay in the activity of Mexican and Texan agents who were offering bribes in exchange for their friendship and support. The

¹⁶*Arkansas Gazette*, (Little Rock, Jan. 12, 1836) as quoted in *Niles' Weekly Register*, (Baltimore, Feb. 20, 1836.) Vol. XLIX, p. 425.

¹⁷Foreman, *op. cit.*, pp. 232-33.

Comanche held thirty or forty white prisoners, and the Wichita were in a lamentable condition as a result of a small pox epidemic, and attacks from hostile Indians.¹⁸ To the unhappy Wichita, Chouteau donated such articles as axes, hoes, powder, and lead.

In June, 1838, Chouteau reported that he had been visited on May 27th, at Camp Holmes by representatives of eight tribes. The Indians had expressed their disappointment that the trip to Washington was to be postponed. Their sorrow was assuaged when the chiefs were given presents, however.¹⁹

The Indians confided in Chouteau their plans to war against the "Pawnee Mohaw" and the Cheyenne. The former had maintained a reign of terror on the plains for years, and had stolen horses during three raids upon Chouteau at the trading post.²⁰ It was expected that the Osages would join in with the western Indians against the Cheyenne, since the death of their chief, Clermont, made it necessary to secure new scalps to make his road to the happy hunting ground an easier one. Chouteau succeeded in dissuading the Indians from taking the war path only by promising to send Lieutenant Northrop and E. L. Chouteau to a northern camp to explain to the chiefs at this outpost that it had been decided to abandon the war plans. Colonel Chouteau left the camp soon after writing his report, planning to return in October to continue his negotiations. He became ill, however, upon returning to his home, the Grand Saline, and died there December 25, 1838.²¹

Chouteau doubtless conducted his business as a fur trader while he was stationed at the Trading Post. His letters are dated from "Camp Mason" which was apparently his name for the trading station. Visitors to the site of his establishment describe a huge corral apparently built to protect the horses of the men quartered there. The corral fence, according to E. B. Johnson who saw it first in 1867, was eight or ten feet high, and the posts sunk into the ground four feet. It is not unreasonable to venture the guess that the corral was built on the occasion of Lieutenant

¹⁸*Ibid.*, p. 234

¹⁹*Ibid.*, pp. 236-7.

²⁰Grant Foreman, *Advancing the Frontier*, (Norman, 1933), p. 241.

²¹Foreman, *Pioneer Days*, etc., p. 234.

Northrop's visit there. The Lieutenant was accompanied by twelve men; and since they were dragoons they probably were mounted. Chouteau and his party must have numbered four or five at least, and this group of men would have found it worth while to build a strong corral to protect their horses from both Indians and wild animals.

It is likewise probable that additional cabins were constructed for the soldiers. Chouteau's unquestionably was not large enough to quarter such a party.

The first description of the trading post and camp following its abandonment comes from Dr. Josiah Gregg who saw it in 1839. Doctor Gregg in that year made a trip across the plains from Fort Smith to Santa Fe carrying with him \$25,000 worth of merchandise which he hoped to trade with the Mexicans. At that time Santa Fe was still a part of the Latin republic, although claimed by the Republic of Texas. The French had blockaded the ports of Mexico, and he saw in this enterprise a chance to make extraordinary profits by introducing goods through the interior. He had with him thirty-four men, all well armed, and reinforced by two pieces of ordnance.

Doctor Gregg described the visit to Camp Holmes as follows:

"We had just reached the extreme edge of the far famed 'Cross Timbers' when we were gratified by the arrival of forty dragoons, under the command of Lieut. Bowman, who had orders to accompany us to the supposed boundary of the United States. On the same evening we had the pleasure of encamping together at a place known as Camp Holmes, a wild romantic spot in latitude 35° 5', and but a mile north of the Canadian river. Just at hand there was a beautiful spring, where, in 1835, Colonel Mason with a force of U. S. troops, had a 'big talk' and still bigger 'smoke' with a party of Comanche and Wichita Indians. Upon the same site Col. Chouteau had also caused to be erected not long after, a little stockade fort, where a considerable trade was subsequently carried on with the Comanches and other tribes of the southwestern prairies. The place had now been abandoned, however, since the preceding winter.

“From the Arkansas river to Chouteau’s Fort, our route presented an unbroken succession of grassy plains and fertile glades, intersected here and there with woody belts and numerous rivulets, most of which, however, are generally dry except during the rainy season. As far as Camp Holmes, we had a passable wagon road, which was opened upon the occasion of the Indian treaty before alluded to, and was afterwards kept open by the Indian traders. Yet, notwithstanding the road, this stretch gave us more trouble—presented more rugged passes, miry ravines and steep ascents—than all the rest of our journey put together.

“We had not been long at the Fort, before we received a visit from a party of Comanches, who having heard of our approach came to greet us a welcome, on the supposition that it was their friend Chouteau returning to the fort with fresh supplies of merchandise. Great was their grief when we informed them that their favorite trader had died at Fort Gibson, the previous winter. On visiting their wigwams and inquiring for their *capitan*, we were introduced to a corpulent, squint-eyed old fellow, who certainly had nothing in his personal appearance indicative of rank or dignity.”²² Gregg apparently revisited the site of the deserted fort on his return trip in 1840, but he does not mention it. This statement is based upon study of the route followed on the return to Fort Smith.

The next expedition to come upon the old post was that of Captain Nathan Boone in July, 1843. Boone, the youngest son of the famous Daniel Boone, was on a mission to the Santa Fe trail to protect traders en route to New Mexico. On his trip back to Fort Gibson, Boone and his company which consisted of approximately one hundred soldiers passed by both Mason’s Fort and Chouteau’s Trading Post. The account of the visit follows:

“69th day, 52nd day’s march, July 21, Friday.

“Started about six o’clock and travelling a few miles S. E. a hill was seen about 8 miles off, supposed by Captain Boone to be the ground called Mason’s Fort, where Col. Mason formerly held a council with the Comanches and expected an attack. This proved

²²Josiah Gregg, *Commerce of the Prairies*, (New York, 1845.) II, pp. 17-19. Taken from R. G. Thwaites, *Early Western Travels*, (Cleveland, 1905.) II, p. 106-108.

to be the hill and 4 miles from the ruins of Choteau's old trading house, at which we arrived after travelling six miles. Resting there an hour, we resumed our march on the road made by the traders from this point through the cross timbers, hoping to reach a house which the Shawnees had informed us to be on the road ten miles from Choteau's where we could get corn and beef, which are very much needed. The road we found a horrible state, the soil consisting of red clay, which washes very badly, producing deep ravines where the wagon wheels had made their tracks."²³

Two years later, Lieutenants James W. Abert and Wm. G. Peck of J. C. Fremont's expedition descended the Arkansas and Canadian rivers, reaching Camp Holmes from the west. Their map locates the streams and other geographical features with surprising accuracy considering their rude equipment. The report relates an interesting dramatic incident in connection with the discovery of the old ruin:

"October 10. (1845)

"We were early on our way, and travelled about four miles, when we struck a trail, and a little further on we entered the tangled bottom of Chouteau's creek. Soon after crossing it, we were cheered by the sight of the ruins of old Fort [Camp] Holmes. A lofty gate-post was leaning mournfully over the ruins around, borne down by the weight of declining years and the ravages of time. Here we saw fragments of wagons which, by their age, showed that the place had long been deserted. There was the scarcely distinguishable road, in many places overgrown with weeds and shrubs. Some of our people, in the height of their enthusiasm, mounted the chimney, and unfurled the American handkerchief that it might float in the breeze. It was a grateful sight to all once more to meet certain vestiges of the white man."²⁴

Discovery of gold in California brought crowds of prospectors across the plains, and it was not uncommon for southern emigrant trains to take the route along the Canadian river through Oklahoma

²³"Capt. Nathan Boone's *Journal*", edited by W. Julian Fessler, *Chronicles of Oklahoma*, VII, No. 1, (Oklahoma City, March 1929) pp. 100-101.

²⁴Lieutenant James W. Abert, "A report of expedition led by Lt. Abert on the upper Arkansas through Comanche Indians country in the fall of 1845." Senate Document 438, 29th Congress, 1st Session, pp. 65-6.

to New Mexico. The Cherokee and Mississippi companies which arrived at Santa Fe on June 3rd, 1849 travelled the old road on the north side of the river, passing Chouteau's post and old Camp Holmes.²⁵

Another party of gold seekers, known as the Fort Smith company, in May 1849 took the north road from the mouth of Little River as far as Camp Holmes where they crossed over to the south side and joined their military escort led by Captain R. B. Marcy. Captain Marcy's account does not add much to the identification of the post other than to say that the ridge on the south side of the river turned left (west) nearly opposite "Old Fort [Camp] Holmes." His map is especially interesting in that it shows the region west of a point midway between modern Oklahoma City and Shawnee as unexplored.²⁶

Apparently the fort and trading post were not regularly occupied for several years after Colonel Chouteau's death. That undoubtedly explains the rundown condition described in the various reports of the period. The next permanent inhabitants were the Kichai Indians who settled the valley of Chouteau Creek soon after Abert's visit in 1845. Mooney²⁷ reports them as having had a village there in 1850, and Marcy refers to both Kichai and Quapaw in the valley in 1852. He estimated one hundred warriors of the former, and twenty-five of the latter.²⁸

In 1845, or just prior to the occupation of the fort by the Kichai, the establishment of a garrison at the post was talked of as a means of protecting the Creek settlements which were beginning to reach the Cross Timbers. This was the closest to a revival as a military post that Camp Holmes ever came.²⁹

²⁵Grant Foreman, "Early Trails Through Oklahoma" *Chronicles of Oklahoma* III, No. 2, (Oklahoma City, June, 1925, p. 112.

²⁶Captain R. B. Marcy, *The Prairie Traveler*, (New York, 1859); also "Report of Captain R. B. Marcy" in *Reports of Secretary of War*, July 24, 1850. Senate Document 64, 31st Congress, 1st Session (Washington, 1850), p. 64.

²⁷Mooney, *op. cit.*, p. 171.

²⁸R. B. Marcy, and Geo. McClellan, "Exploration of the Red River of Louisiana in the year 1852," Executive Document, 33rd Cong. 1st Sess. House. (Washington, 1854), p. 93.

²⁹Foreman, *Advancing the Frontier*, pp. 232.

In 1853, Lieutenant A. W. Whipple, engaged in an explorational survey for the government, passed near Chouteau's. His remarks follow:

"A few miles northeast from our camp near the confluence of Walnut Creek with the Canadian is Chouteau's old Indian trading post, where, since the tragic death of the proprietor, Kichai Indians have sought a resting place, to form the connecting link between the quiet Delawares and the murderous wild bands of Kioways and Comanches."³⁰

Jesse Chisholm, half-breed Cherokee trader and frontiersman occupied the site of Chouteau's after the discovery of gold in California, and when the overland travel became considerable.³¹ No doubt its location made it a good point to trade with the Indians, for it was on the edge of the plains, and yet lacked many of the dangers that might have come to a station deep in the Kiowa-Comanche country, far from a military post.

The last official record of the old fort prior to the Civil War was made by E. F. Beale, who visited it in 1858 while surveying a proposed wagon road from Fort Smith to the Colorado River. Beale, too, incidentally, referred to this region as Kichai Indian country; so it is probable that the tribe was still living in the neighborhood. Although the surveying party took minute observations at their various camps, the latitude and longitude of Chouteau's Trading Post were not reported. In reading the following excerpt from the official record, it should be kept in mind that Beale was on his way west up the Canadian river valley when he came upon Chouteau Creek, and soon after, the ruins:

"November 15.

"... I rode yesterday with Mr. Green up this stream for about three miles, and discovered on a small tributary of it the remains of old Choteau's trading post; looking among the ruins, I found a human skull, which I tied behind my saddle, and brought back

³⁰"Extracts from preliminary report of Lt. A. W. Whipple." *Reports of Explorations and Surveys from Mississippi River to the Pacific Ocean made in 1853-4*, III, Senate Executive Document 78, 33rd Congress, 2nd Session, (Washington, 1856) p. 9.

³¹J. B. Thoburn, *A Standard History of Oklahoma*, (Chicago and New York, 1916) I, pp. 164-5.

to camp. From the old fort we extended our ride to the Canadian and crossing it ascended the opposite bank looking for a good crossing."³²

The Mr. Green to whom he refers had obtained a contract from the Postmaster General for carrying transcontinental mail from Neosho, Mo. through the Indian Territory. In the autumn of 1858, Green, in charge of this mail arrived at a point within the southern part of Cleveland County where he was obliged to halt his mail stages on account of the hostilities of the Comanche Indians in front of him. He waited a month for the military escort accompanying E. F. Beale who arrived November 13th.³³

The next report on the Trading Post comes from the lips of a man who is still living, and who first saw it in 1867. E. B. Johnson, part Chickasaw Indian, was acquainted with Jesse Chisholm, and remembers that the famous trader occupied the Post intermittently until his death in 1868. Chisholm traded with the Indians, and undoubtedly kept the fame of Chouteau's from dying for the period 1850-1868. When Johnson first saw the valley of Chouteau Creek, it was full of Comanche Indians who had gone there for the purpose of bartering with Chisholm. This region was very rich in game, and antelope and buffalo abounded. One of the things that impressed Johnson most was the enormous herd of ponies at the Comanche camp.

Richard Cuttle, Chisholm's teamster hauled the hides and pelts to market from Chouteau's, bringing back on his return trips the merchandise to be sold the Indians. P. A. Smith, Chisholm's chief clerk sold the goods and usually went to the camp to meet the Indians at an appointed time. The trader's headquarters were near old Camp Arbuckle, which was south of the Canadian River in the Chickasaw Nation.³⁴

Johnson's father, M. T. Johnson was a prominent member of the Chickasaw tribe, and established a number of ranch houses and line camps both in the Chickasaw Nation, and in the Un-

³²E. F. Beale, "Wagon Road, Ft. Smith to Colorado River," and letter of Secretary of War transmitting the report of Mr. Beale. House Executive Document 42, 36th Congress, 1st Session, (Washington, 1860), p. 13.

³³Foreman, *op. cit.*, p. 298.

³⁴Letter from E. B. Johnson to H. F. VanZandt, Sept. 17th, 1935.

assigned Lands. One of these ranch houses was constructed at Council Grove, just west of what is now Oklahoma City. M. T. Johnson bought the logs for this ranch house from Jesse Chisholm's son William Chisholm. Jesse had cut them, planning to erect a trading station on the west end of the Grove. He had promised to place his friend Sampson Harmon, Cherokee, in charge to be assisted by the latter's half Chickasaw wife Vicey. Chisholm died before completing his plans. After Johnson had bought the logs, he moved them to the east side of the Council Grove and constructed a ranch house. This was in 1873. The ranch was run for him by Vicey Harmon, Long Gray, and Frank Dyes, all Chickasaws. These people may have been the first permanent inhabitants of the Oklahoma City metropolitan district.

M. T. Johnson also had a ranch house on Walnut Creek on the Chickasaw side of the Canadian five or six miles from Chouteau's. This ranch was built in 1867, and operated for him by Jack Brown and Henry Cole, negroes. It seems that white men were unsatisfactory employees in this country due to the hostility of the Comanches. The result is that only Indians and negroes could be persuaded to live on the plains away from the protection of the army posts. The negroes on Walnut creek had a friend named George Ransom who had been in the army at Fort Arbuckle. He moved north in 1871, and occupied the site of the Trading Post which had been deserted for three years. Apparently other negroes came in soon after, or with him, for in November and December, 1872, Government surveyors report eight negro cabins in the vicinity.

E. B. Johnson distinctly remembers the surveyors. He states that they were accompanied by a mounted military escort from Fort Arbuckle. T. H. Barrett was given the contract for the survey, and was apparently assisted by a man named Norman, from whom the city of that name owes its designation. Johnson recalls that the surveyors stayed for a short time at a fine spring a short distance south of the present site of the Campus of the State University. A dug-out was made at this spring in 1874 by Mark L. Brittain and some negroes whom M. T. Johnson sent to kill off the wolves who were molesting his cattle. Brittain stayed at this dug-out for considerable periods at a time in the seventies

and eighties to watch the trails and keep the cattle from going north with the big herds being driven through from Texas. The spring and excavation where the dug-out was located are both plainly visible today.

Dave Blue, Cherokee Indian, was an occupant of one of the cabins on Chouteau Creek prior to 1873. He was well known as a buffalo hunter, and naturally attracted to the Unassigned Lands where the bison were so plentiful. According to Jim Bradley, a cowboy who ranged over this region for two decades prior to the opening in 1889, Dave Blue employed Cherokees and Creeks to help him hunt the buffalo and take care of the hides. In 1873 he loaded two teams and wagons with robes, tongues, and humps, and freighted them off to Atoka. Although a one time resident of Chouteau's, Blue is better known for the cabin he built on Dave Blue Creek.

After Blue's departure in 1873 for the Cherokee Nation where he was to be killed, the Post was occupied by negroes, outlaws, and whiskey peddlers. An illustration of the violent lives led by some of the men, Bradley recalls the meeting of two or three horse thieves and their pursuers at the Post. The thieves would not make a proper settlement and were killed on the spot. Johnson states that the settlers on Chouteau Creek from 1873 until 1875 had a very bad reputation, and received few respectable visitors. The undesirables left the region in 1875 following a hanging there of three or four negro "bad men."

In 1877, M. T. Johnson decided to use the old cabins for a line camp. Accordingly, he sent over young C. B. Campbell, his nephew, and some helpers who repaired the roofs and rendered the ancient structures habitable. There were two log houses adjacent to each other with a hallway between. The logs were of post oak, and must have been carried from the Cross Timbers five miles east, for at that time there was no post oak nearer. Around the cabins a little stockade was built, and savage dogs brought from Fort Arbuckle were allowed to run loose inside. They discouraged night raiders.

The cattle that ranged in the valley were brought up from the Arbuckle Mountains where they had become nearly wild.

After pasturing in the rich bottom land along the Canadian River for a while, and frequent penning in the corrals along Chouteau Creek they would become domesticated again. The same thing applied to horses. The rough barren mountain pastures developed wild horses as well as wild cattle, and a period of domestication at Chouteau's was needed before they became tame. In this connection, Johnson recalls that a lead mine existed in the Arbuckle Mountains where the Chickasaw Indians, and doubtless other tribes who roamed the southwest, secured the lead for their bullets. The mineral was extracted in a practically pure state, and served the needs of the natives for many years.

Cougars, the lions of America, were very numerous in Oklahoma until the opening in 1889. In the region now known as central Oklahoma there were a great many, and for that reason it was necessary to watch the cattle and horses carefully lest they be attacked and killed by the big felines. Although fearful of human beings, the cougars, many of which grew to be eight feet or more in length, were a serious menace to the cattle driven up in large numbers from Texas on the various trails to Dodge City, Abilene, Salina, and Baxter Springs, Kansas.

According to the government survey of 1872, there were four roads and cattle trails converging at the site of the old army post. One, the main cattle trail from Texas, crossed the Canadian from the west at a narrow point a mile and a half north-west of the cabins. Another approached from Fort Arbuckle to the south, and crossed the Creek a half mile from the Camp, extending north, joining the main cattle trail near its Canadian River crossing.³⁵ A third carried Chisholm's wagons south-east toward his headquarters near Camp Arbuckle. The fourth was the famous wagon road built in 1835 from Fort Gibson to Old Fort Holmes, and then through the Cross Timbers to Camp Holmes. It was used to carry the treaty negotiators, and later brought Forty-Niners on their way to California. Many of the expeditions that explored the western plains came via this famous, but rough, road. It is still visible at points. There is a small gully near the site of the Trading Post where the wagon wheels started a water-course that

³⁵The Norman-Lexington highway follows the course of this old road for several miles north of the last named town. Even the curve at Slaughterville was made by the old cattle trail.

later grew into a gully. In 1899, W. C. Merritt, now Superintendent of Schools at Maysville, occupied the ground where the army camp was located originally. He recalls distinctly seeing the ruts of the old wagon road at various points in his pasture.

In 1876, L. C. Wantland of Purcell visited the site of the old Trading Post. According to Wantland, at that time there were corrals and the foundations of several log buildings, but no other evidences of life. This would indicate that the Indians, negroes, outlaws, and whiskey peddlers had moved off prior to his visit.

The Comanche Indians were severely punished in 1873 and 1874, and the last hostile band surrendered in 1875. The result was that whereas it had been unsafe for white people to settle in their country prior to 1875, after that year there was little to fear from the once warlike tribe. Johnson remembers attending a Comanche scalp dance in 1872, a short distance west of what is now Norman. The Indians had just killed a hundred buffalo, and were trying out newly captured horses. They would wage buffalo robes over the outcome of their horse races. Following the racing they had three dances, the last of which was open only to those who carried scalps in their belts.

In 1877, as has already been mentioned, M. T. Johnson had the cabins repaired to be used for a line camp. The following year, Jim Thompson, a white man, occupied the cabins and brought his family there. He cultivated a small patch of land, which, according to the government survey was in crops in 1872. Thompson was also in the cattle raising business in common with most of his neighbors to the south and west. His brand, the hat brand, was bought by Johnson. One of Jim Thompson's children, A. J. Thompson relates an interesting narrative concerning early life at the old ranch house. One morning a cowboy abused a little boy at the ranch. He was warned by the other cowhands to leave the child alone. Just before noon the abuse was renewed, and before one o'clock he was wrapped in a blanket, and buried, clothes, boots, and all. The remains of a man interred with his boots on were discovered twenty-five years later when a farmer was excavating a basement for his home at the site of Chouteau's Trading Post.

A buried treasure legend is associated with Chouteau Creek. In the early days, the exact date is not known, several traders from Mexico passed the old Trading Post, carrying with them a quantity of money, much of which was gold. They were attacked by Indians, and during the fight all but one of the traders were killed. The survivor buried his friends, one of whom he inhumed on the bank of the Creek near a large walnut tree. At the foot of the tree the treasure had been buried during the battle. Forced to leave without the money, he drew a map locating the walnut tree, grave, and treasure. About 1900 a Mexican appeared on the Creek equipped with a map showing the location of the lost money. He searched for several weeks, and felt that he had discovered the gold. Unfortunately he died before he actually recovered it. Soon after the World War, Chouteau Creek was diverted to flow into the Canadian two miles north of Lexington instead of south of the town. The change in the course of the stream caused the water to carve out large sections of land along the banks, and in 1920 a hunter discovered a skeleton that had been uncovered on the Creek's edge. This skeleton was located very close to the stump of a huge walnut tree. Whether or not the lost treasure has ever been discovered is unknown, but one of the farmers in the vicinity dug up a large iron pot which offers a clue. Inside the pot, which was found a half mile north of Camp Holmes near a spring, was a small kettle. Deposited on the bottom of the kettle was gold dust. It is possible that the Indians found the treasure, took the gold, and tossed the pot and kettle aside at the spring where they may have camped.

The last that is known about the old Trading Post, prior to its destruction by the soldiers in 1889, is that it became a payment station for the U. S. Indian Service. Lee Steagal, blacksmith at Lexington, visited this station in 1887. His father was an Indian policeman, and when he wasn't running down renegade Indians he ran horses through the Unassigned Lands to the north. One of his favorite stopping places was Chouteau's old post. Here was stationed a U. S. Agent who paid off the Sac and Fox, Iowa, and Tonkawa Indians. In conjunction with the payment station he operated a small trading post where he sold to the Indians. Later the agency was moved to the Indian Territory a few miles east.

Just before the Eighty-Niners made their run, sooners made use of the ruins of Camp Holmes. Dug-outs appeared along side of the rock walls, and chimney. The soldiers who cleared out the country immediately before the opening drove out these people and burned what was left of the log cabins. There was one exception, however, a log cabin on the bank of the Creek, at one time the home of some negroes. Even this structure is now gone.

Maggie Yoho, an Eighty-Niner, states that there were a number of Indian arbours and scaffolds standing when the land was first settled. For several years after, Indians would return to their old council grounds, and camp for weeks at a time in the woods that bordered the creek.

Jim Branham, whose home is on the site of Chouteau's Trading Post, recalls finding a barrel on the edge of the Creek near the ranch house. Close to the cabin site is what is still known as Chouteau spring. On the hillside surrounding the cabin the first settlers found literally buckets full of arrow and lance heads, and bullets. The Author himself picked up a couple of lead pellets and a lance point in the spring of 1935.

Camp Holmes was apparently built more of rock than Chouteau's place. W. C. Merritt who in 1899 occupied the site of the camp, hauled away the stones from the old cabins in 1902 when they were needed for the foundations of a nearby farmhouse. Merritt noticed a rock fill across a small tributary of Chouteau Creek. The fill had been built at a point where the wagon road extended from the fort to Chouteau's.

The spring from which the soldiers and Indians obtained their drinking water is now nearly dry. Years of cultivation have ruined it. Nearby is the tributary of Chouteau Creek referred to by Beale in 1858. On the floor of this stream is the rock quarry from which the stone was obtained for the construction of the army post.

The exact locations of Camp Holmes and Chouteau's Trading Post are difficult to determine positively. From evidence existing today, it appears that Camp Holmes was located on the hillside three quarters of a mile east of the Norman-Lexington highway at a point three and a quarter miles north of the last named town.

There is nothing left at the site today except some holes where the foundations and sooner dug-outs had been, and a few rocks used in the building.

The reference to the site by Captain Nathan Boone places "Mason's Fort" four miles from Chouteau's. This seems to be in conflict to the statement of the trader Gregg. The matter may be explained, however, as occurring in this way. Mason, it is known, came up the valley of Little River, and made his camp at the edge of the Cross Timbers. This point was probably four miles northeast of where Chouteau later established his post. The Comanche and other Indians camped eight or ten miles from Mason. Since these Indians feared the dangers of the Cross Timbers, and lived in the west, their camps, it may be assumed, were west of Mason who, in the Author's opinion, was camped not over a mile from the forest.

Between Mason's Fort and the Indian camps was the council ground, called Camp Holmes. This was the site where the treaty negotiations took place and is a gently sloping hillside with springs on its edges. Grant Foreman describes Mason's Fort as a "beautiful location, with a border of timber to the east, ten miles of prairie to the west, encircled with sparse woods, and having a fine running creek and a number of springs."³⁵ This description apparently comes originally from Major R. B. Mason himself.

Chouteau's Trading Post, although having a fine running creek nearby, and a number of springs, very definitely does not, and did not have "ten miles of prairie to the west." Four miles northeast, however, at Mason's Fort it is possible to find the description entirely fulfilled.

To avoid confusion in describing the various points, let it be understood that in this paper Chouteau's Trading Post is the stockade fort built by the intrepid trader at the conclusion of the treaty in 1835. Camp Holmes is the place where the treaty itself was concluded, and also the place where the soldiers were quartered in 1837-38. Mason's Fort is the place where Colonel Mason and his men camped while making the opening arrangements for the treaty council.

³⁵Foreman, *Pioneer Days* etc., p. 161.

Mason and his men did not expect to remain at the camp west of the Cross Timbers very long. They knew that the beginning of September would find them back at Fort Gibson. The result is that they would hardly have gone to the trouble of constructing log cabins for their short stay. Rather, it would be expected that they would have preferred to camp in their cool tents, and set up few if any permanent structures. This accounts for the fact that none of the expeditions that passed over the wagon road reported more than one fort or trading post—with the notable exception of Capt. Nathan Boone. The others saw but one location, and it was Chouteau's Trading Post or the cabins at Camp Holmes a half mile away. To a visitor who had seen no other white habitations in fifty miles or more, the two must have seemed to be at practically the same site in the wilderness. Boone, on the other hand, had with him one hundred soldiers. The trip was made eight years after the treaty had been signed, and it is reasonable to assume that someone in his party had been there in 1835, and remembered where Mason and his men had camped, and carried on the preliminary negotiations with the Indians.

In the winter of 1837-38, as explained earlier in this paper Colonel Chouteau and a considerable number of soldiers wintered at Camp Holmes. Although the trading post was large enough for Chouteau, it was doubtless not big enough for the thirteen or more soldiers too. To take care of them, cabins were built at Camp Holmes a short distance north, and near another spring. Both Chouteau's and Camp Holmes were on hills, and relatively safer from attack than had they been on the valley of the Creek where Indians could have approached through the rough undergrowth without being seen.

Camp Holmes and Chouteau's, although not steadily occupied for long, and never of as much importance as Fort Gibson, Fort Towson, and some of the other early settlements, nevertheless have considerable significance in the history of Oklahoma. At the beginning, the one was the site of the first treaty negotiations with the wild tribes of the plains. The other was the first important trading post west of the Cross Timbers. Years after the little settlements had been abandoned by their original occupants their names still appeared on maps of the United States. Chouteau's,

or "Chofan's" as it was sometimes called appeared on maps of the country until well after the close of the Civil War. Chouteau's or Camp Holmes were frequently the only names to appear on maps covering the region between Fort Gibson and Santa Fe. They were landmarks, isolated evidences of the white man in a sea of Indians.



E. B. Johnson and Prof. M. L. Wardell at place the former remembers cabins he believes used by Chouteau then Chisholm.



CAMP HOLMES, LOOKING NORTH

GOVERNOR MONTFORT STOKES

By John Bartlett Meserve.

The romantic annals of Eastern Oklahoma are enriched by the interesting career of Governor Montfort Stokes whose grave at Ft. Gibson has become a shrine for the patriotic societies of the State. He was a soldier in our war for independence, and, so far as now known, is the only hero of the Revolution to rest within the confines of Oklahoma. He was born in Lunenburg County, Virginia, on March 12, 1762 and at the age of fourteen enlisted in the merchant marine. In 1776, at the outbreak of the Revolution, he enlisted in the Continental Navy under Commodore Stephen Decatur and later in the same year was taken a captive by the British and held in confinement in the British prison ship "Jersey" off New York harbor. The sufferings and hardships endured by the prisoners on this ship were unspeakable and some eleven hundred of the fellow prisoners of young Stokes perished from starvation and vile sanitary conditions.

After seven months detention, Stokes was released and upon the conclusion of the war, went to North Carolina and became a planter. He was elected clerk of the state senate and served from 1786 to 1790 and in 1790 was chosen clerk of the superior court of Rowan County, North Carolina. With a modesty quite unexplainable, he declined the election to the United States Senate in 1804 although he was to serve subsequently in that position. It was about 1812, that he removed to Wilksboro and in 1816 was again chosen to the United States Senate, serving in that august body from December 4, 1816 until March 3, 1823. From 1826 to 1829, he was a member of the state senate, which was followed by a two year term in the state house of representatives.

As an evidence of the interest of Mr. Stokes in matters of higher education, it will be observed that he served as a trustee of the University of North Carolina from 1804 to 1838 and served at three different times as its president. In 1830, he was chairman of the board of visitors of the United States Military Academy at West Point and also served as a presidential elector from North Carolina in 1804, 1812, 1824 and 1828.

He became governor of North Carolina in 1830 but resigned in 1832 to accept an appointment at the hand of President Jackson as a member of a newly created Board of Commissioners to deal with the Indians in the West and shortly thereafter removed to Ft. Gibson. This Commission consisting of three members of which Governor Stokes was chairman, was authorized by an act of Congress of July 14, 1832 and was directed to organize at Ft. Gibson; to compose the differences between the Creeks and Cherokees; to make peace between the immigrant Indians and the native tribes; to undertake the removal of the Osages; and to accomplish many other plans which were never realized during the two years of its existence. The services rendered by this Commission were largely performed by Governor Stokes who exhibited the fullest sympathy with the Indians and omitted no effort to voice their complaints in the strongest terms to the authorities at Washington.

Upon the expiration of the life of this Commission, Stokes was designated a commissioner to negotiate treaties with the various Indian tribes in the South and Southwest, in which he rendered a most efficient service and in 1837, was appointed Indian Agent for the Cherokees and served in that capacity until 1841. He became agent for the Senecas, Shawnees and Quapaws on September 8, 1842, but died shortly thereafter.

Governor Montfort Stokes died at or near Ft. Gibson on November 4, 1842, closing a most interesting career which is ever linked with the early formative days of our state history. It is difficult to appraise his choice to resign the governorship of North Carolina and become a soldier of fortune among the semi-savage Indian tribes in the West among whom conditions were, at that time, in a most turbulent situation. The service which he rendered was most unselfishly performed and he enjoyed the fullest confidence of the Indians to whose best concerns he devoted the years of his penance among them. At a meeting of the officers and citizens at Ft. Gibson on the funeral day of the Governor, Dr. J. R. Motte expressed himself, "He was of the sternest moral rectitude and integrity, he died full of years and of honors, leaving no stain upon his fair fame and believing that honesty and integrity should be rewarded hereafter. Although far from home and

kindred, he received, during his last illness, all the kind attention that children would bestow upon a father. His last hours were soothed by the presence of his many friends and his exit was without a struggle." These words, contemporaneously uttered, should reflect the character of the man.

Of the domestic life of Governor Stokes, very little is known. He had several children, one of whom, Major Montfort S. Stokes served with distinction in the Mexican War. It is related that at some time before coming West, he fought a duel at Mason's old field near Salisbury, North Carolina with one Gen. Jesse D. Pierson and was quite severely wounded.

The grave of Governor Montfort Stokes at Ft. Gibson is suitably marked by an imposing marble shaft.'

'A picture of Gov. Stokes appears at page 101 of Vol. 13, March 1935.



SERG. I-SEE-O, Kiowa Indian Scout

SERGEANT I-SEE-O, KIOWA INDIAN SCOUT

By Morris Swett

Never to be retired on account of age, never to be reduced in rank, and for all the remaining years of his life to hold the rating of senior duty sergeant, United States Army. Somehow we seem to hear about 4,000,000 veterans of "this man's army" chorus "Not so bad." But this job was even better than that. Here was a soldier whose every material need had been provided for, a home to his liking, meals of his own choosing and as arduous or easy a routine as he saw fit to make it.

"For distinguished service as a peacemaker," has not yet appeared on the citation of a soldier, but it might well be set down on the service record of the one man in the army for whom army regulations and army routine had been thus set aside. For it was recognition of his efforts for peace, and not for gallantry on the battlefield, that an appreciative government had honored the veteran Indian Scout I-See-O.

The Indian wars have contributed their full share of gallant actions, instances of individual daring, courage and self-sacrificing heroism. Every schoolboy knows at least a dozen outstanding stories. But how many know of the higher, rarer courage, the greater daring, which was I-See-O's when he strode time and again before the council fires of his own and other tribes and eloquently, logically and with gifted diplomacy pleaded the cause of friendship instead of war between them and the oncoming whites. To his kinsmen he urged the futility of armed opposition; to the whites he gave a better understanding of the Indian nature and a closer, more discerning insight into the workings of the red man's mind.

So, in a lonesome tepee, far away from the roar and din of civilization, he lived at Fort Sill, and stood as a living monument of a critical period in American history. With his little family he lived in modern America but he was not a part of the present generation at all. He looked on in amazement at the automobiles that whizzed by him every day, great engines of war rambled past

him as the artillery maneuvered, roaring air planes darted across the sky, and they were to him as sparrows. He was simply stunned. He spent most of his time just gazing at the great expanse of prairie before him, wondering whether he was living in the same world as that in which he was born, whether it was all a dream, whether there was about to be ushered into his life a new era, whether modern science and its remarkable inventions are but forerunners of a Messiah.

It was hard to link up this old wrinkled octogenarian with the promise of a Messiah, and a life of perpetual happiness, yet it was he who a little more than forty years ago prevented his fellow Kiowas from being led astray by a false prophet who was being hailed as the deliverer of the red people who preached blood and thunder against the whites. It was of him that General Hugh L. Scott once said, "I-See-O, it was you who prevented bloodshed among the Kiowas and Apaches, and it is to you that the Indian people of Oklahoma owe a great deal of thanks."

I-See-O, or as he was more properly known in the military establishment, Sergeant I-See-O, held a unique position in the American army. No one, not even General Pershing, himself, is afforded the privilege that was I-See-O's. When General Pershing reached his sixty-fourth birthday he was automatically retired from active service. Not so with I-See-O. As long as he lived he was a sergeant in the army on the active list, with all the pay and allowances of a non-commissioned officer of that rank. He could not be reduced in rank either, which was a privilege shared by no other soldier in the army. I-See-O was thus the oldest soldier on an active status in the Army of the United States.

The American government could hardly have done less for the man who had done so much to keep peace in the Southwest when Indian troubles became threatening among all the tribes. His gallant services in the troubles of 1890 are remembered by the veterans of the Indian wars, and as long as he lived, his were recounted to all those who passed his little tepee or recognized his familiar figure on the Fort Sill reservation.

I-See-O was born on an Indian reservation near Fort Larned, Kansas, about 1851. At that time the Kiowas were allied with the Comanches and the Arapahoes, who were constantly fighting

their enemy tribes, the Cheyennes and Utes. When 15 years old, he went on the warpath against the Navajos in New Mexico. While on this expedition on the Rio Grande he came across a small Cheyenne village where he was told that "soldiers were coming with beef, sugar, and coffee and were going to have a big council." This council was the Medicine Lodge Council,¹ and I-See-O told of it as follows:

"First, I went out on an expedition on the Rio Grande River and was returning home and found the camp at Medicine Lodge camp and all tribes were coming at same place and some announced they were meeting here for same purpose. That was when I first came in. It was in the early fall and I was just about eighteen years old at that time.

"I had been home about two, three, or maybe five days when I heard announcer calling in camp that the men and soldiers were coming. I heard great bunch coming over tomorrow and all the chiefs and everybody get together tonight and talk about something. This announcer said that the big party is on the road here to make this treaty. 'We want to appoint two delegates to meet commission coming out half-way tomorrow.' Of course, the chiefs and headmen meet that night and I was not present as I was a young man and was not a chief yet, but tomorrow morning I saw stage-coach coming full of men to meet the commission. The party, headmen, principal chiefs, got together in group and meet stage-coach and two delegates, Chief Satanta and Chief Stumbling Bear were there. Of course, I did not go along to see what took place then but the story I got from them that went.

"They went in stage coach and met party several miles away. It happened to be at noon when they met delegation and took dinner on that place. We learned that they were big men detailed from headquarters in Washington. Everybody said, 'Tell big men to get through with their dinner.' After lunch they got back in stage coach and the party moved to camp. Some time after noon, later in the evening, we can see the coach returning bringing back the delegates that went to meet the party and the rest of them.

¹*Chronicles of Oklahoma*, Vol. 2, No. 2, pp. 98-118.

"I do not remember at what time they came, [This was in October 1867.] but they came and came in, part of the evening and all night. I did not know when they stopped coming in. They were whole lot of soldiers. Next morning I looked over the hills and nothing but camps.

"I would not say exactly when the council took place, but I remember young men clearing trees away where the council was to take place. It was in early fall, still warm, and they held it in the shade. Had lots of seats. They put down canvas for floor and then put seats all around as far as canvas was put down. Early evening the announcer-crier came out in camp announcing that after breakfast to-morrow morning everybody go to the great council.

"Next morning you can see bunches going to the council ground. Everybody going to council for curiosity. I went along to see what was going to take place.

"There were many tribes of Indians. I guess they cooked dinner for each tribe. I could see soldiers preparing lunch for the council. I could see by the side of each fireplace big piles of wood, big stacks of crackers and tin cups and lots of things. When all the Indians got there each tribe grouped in a separate group until their commissions came up. They brought the commission that was delegated to make the council treaty, they brought him over in big blue wagon to council grounds. When the party arrived everybody was quite anxious to know what was going to happen. I do not know who the chairman was but one man got up and announced that he was telling what the Kiowa said. Our interpreter came from the Comanche language. They called him "Mack" (McCusker).

"We did not have anyone to interpret the English language. The president of the council announced that he did not want anybody to go back to camp—that they had plenty of lunch for everybody there and wanted them all to have lunch. 'There are quite a few of you and you all will not return promptly after noon, so we will just stay here and eat together.' The president of the commission said that he would take his lunch in camp but will return right away. 'When I return I will tell you what my mis-

sion is for afternoon; what I came for. I have a little message I want to give before noon and I will tell the balance afternoon. With this party of men, soldiers and everybody, the commission appointed at Washington to come before you to make a treaty here with you Kiowa in this reservation. You all have wars with all the tribes around you. We have been trying to get a peace treaty with you people for a long time and you never paid any attention to us because you never saw us. Now, we came here from Washington so we could talk face to face. For one reason we have failed to stop you from enemies because we understand you were short of some things. That is the reason you all are having wars with other tribes and people and I want to straighten this trouble up at this mission. If you will submit to my peace treaty and sign peace with me, in a year or two after I return to Washington and hear that you have been peaceful for three years, I will issue you horses and things and there will be no reason for trouble. I will issue horses and you will be on good terms with me and you can raise your own stock. This noon I will go take my lunch and you will take lunch here and leave us at noon.'

"The wagons came up and they crowded back in wagons and had not seats and had to stand up, and went back to camp. Of course, at lunch time, you know how people get. We wanted to get ourselves filled up.

"After noon they came back and got in groups according to tribes again. Commissioner did not eat much lunch—he was afraid they would go away, so he hurried back.

"It seems to be that the Kiowa was spokesman for the other tribes. Treaties were made by the Kiowas—they did all the talking.

"Big groups of Comanches and Apaches were always together with the Kiowas; they submitted to what the Kiowas wanted; they were one. They took two chairs and set them in the middle of the council next to the commission. One gentleman got up—Army officer, had eagles on—and sat in one of these seats, an old gray-head man. Another old man got up and occupied the other chair in civilian clothes. It was for the tribes to vote which one of these gentlemen they wanted to live with.

“If you pick the man up on this side, you live on the Arkansas River and the other one, your reservation will be in the mountain at Fort Sill. What ever man you pick the most people on one side will win.

“I cannot give you all the small details of the council. Interpreters and each tribe talked which one they should vote for and each tribe was discussing among themselves. One Indian jumped up. Indian Chief Black Eagle commenced talking to his men Kiowas near the Washita River is taking place today. Black Eagle says, ‘Now, we are to make our selection of the two men. One of them, the selection of the man, our reservation will be in Kansas. You know our reservation is very cold and we have no fuel and it is cold up there and if we pick out the other man it is not cold in the south, and our reservation will be in the south.’

“Different ones got up and spoke for the south reservation, so they picked out the south reservation man. So they picked out the man in the military uniform with eagles on. He was one of the first agents (Col. Jesse H. Leavenworth). Kiowas were the first to make the suggestion of Colonel Leavenworth, and each tribe was asked who they wanted and each tribe voted and picked out the same man. They all picked out the same man the Kiowas picked out.

“ ‘Now, you all agree and pick out same man and all together now I want to tell you now you picked out the man you wanted to be under. This man you have picked out now will fix your boundary line as not very far from these mountains on the south and east side, and I want to pick out the North Fork of Red River for the boundary on the west, the Cimarron for the north boundary. You will understand now that your boundary on the south line joins Texas.’

“After the council, the crier announcer went all through the camps announcing that the border line and this southern line on Red River they were talking about extended to Texas.

“ ‘How many years you want the government protection and all these rations to run, as I propose to issue annuities?’

“There was discussion among the different tribes as to how long they want the rations. One Indian Chief got up and say,

‘They are waiting on us to give this answer. It is our privilege to say what we want—why not say 100 years? Whatever years you select as long as your annuity runs.’ So we talked among ourselves and we all agreed on thirty years.”

Sixty years later (1926) when the Medicine Lodge Indian Peace Council Treaty Memorial Association desired to place a memorial marker on the spot where the treaty was held, I-See-O was sent for to assist in locating the exact spot, and, on Monday, April 5, 1926, I-See-O arrived in Medicine Lodge, Kansas, definitely to fix the exact spot where the council was held and the treaty signed.

I-See-O left Kansas shortly after the Custer Massacre took place and arrived in Fort Sill in 1889, when he was enlisted as scout by the commanding officer, and also acted as courier between Fort Sill and other posts. Later he was enlisted for five years in Troop L (Indian), 7th Cavalry, and with but very few interruptions he made his home in Fort Sill.

Shortly after his arrival at Fort Sill, he became acquainted with Lieut. Hugh L. Scott, of the 7th Cavalry, who spent nine years at Fort Sill, as lieutenant and captain, and later became Chief of Staff of the United States Army. Lieutenant Scott became greatly impressed with the loyalty and devotion of I-See-O; appointed him First Sergeant of his Indian troop, and there grew up between them a warm friendship, which both warriors cherished. In addition to assisting in organizing Troop L, I-See-O also assisted in organizing an Indian company of infantry. The infantry company was not a success, was disbanded, and the members who desired it were discharged, the others transferred to the cavalry troop.

Lieutenant Scott was in command of Troop L for five years. This troop was composed of Kiowas, Comanches, and Apaches, and whenever it was called upon to perform some hazardous duty connected with the Indians it was always to his trusty I-See-O that Scott looked for help and council.

I-See-O was Scott’s teacher. It was he who taught him the ways of the Indian, his language and customs. Scott became very proficient in the use of the Indian sign language, and nothing so

pleased I-See-O as to tell how he taught Scott the Indian signs. The language is dead, of course, but I-See-O never tired of showing the signs and their meanings.

When in 1891, trouble broke out at the Anadarko Agency, I-See-O was sent in advance to reconnoiter the situation. When again in the same year the killing of an Indian by a white man threatened to cause a serious disturbance at the North Fork of Red River it was I-See-O who was sent ahead again by Scott to counsel moderation among the red men. In each case matters were amiably settled without any recourse to force.

I-See-O's work was always of the quiet kind. His services have never been measured by heroism in the face of hostile fire, nor by the prowess of his rifle or pistol, but by the struggles that he averted and consequently the lives that he saved. He was usually the intermediary—the man who was Indian at heart, familiar with his vices and virtues, well aware of the power of the American soldier and the futility of struggle when the same ends could be obtained in a peaceful manner. It seems as though his whole life has been dedicated to create better understanding between the white and red men. Wherever I-See-O appeared bloodshed and struggle were conspicuously absent.

In 1890, when the Ghost Dance craze spread among the Indians, a craze that threatened to light the embers of hate that had been dormant in the hearts of many Indians, and cause a national conflagration, it was Lieutenant Scott and the faithful I-See-O who prevented the Kiowas and Apaches from following the example of their Indian brothers to the north. Scott and I-See-O went together wherever the excitement was greatest; sometimes in the Wichita Mountains, sometimes in the Caddo country, or sometimes 150 miles up the Washita. Between them they pulled the southern Indians through that period without the firing of a single shot.

The outbreak of 1890 seemed to come simultaneously all over the country. Religious fervor, including the belief in the advent of a Messiah, the resurrection of the dead, the return of the buffalo, and the departure of the white man seized the minds of the Indians. It manifested itself in the Ghost Dance and similar ceremonies. The cult is said to have had its origin among the Piutes

of Nevada where the alleged Messiah lived. His teachings were spread to the tribes of Idaho, Wyoming, and Dakota. The Sioux of Dakota spread the belief to the Cheyennes and Arapahoes of Oklahoma, thence to the Kiowas and Comanches of Oklahoma.

The rumblings of an undercurrent were felt by all men familiar with Indian manners. How to avoid what seemed to be cataclysmic eruption among the red men occupied the minds of the leaders of the American army. Up north the Sioux had already shown their hostility, and an actual battle had been fought, known as the Battle of the Wounded Knee, at which a considerable number of Indians as well as Americans had lost their lives. In Oklahoma, however, the uprising never took place, and it was largely through the efforts of Scott and I-See-O that the Indians of the southwest failed to take up arms in what promised to be a general uprising against white supremacy in North America.

When I-See-O's enlistment period terminated, he requested that he be enlisted as a scout. This request was granted and he was enlisted for a period of five years. During most of this period he was courier and messenger for Gen. Nelson A. Miles. On one occasion, General Miles instructed him to guide a band of music from Fort Sill to Cobb's Creek. When he arrived at Cobb's Creek orders were waiting for him to proceed to the Keechi Hills. While returning from Keechi Hills he was injured by his pony which caused him to spend about six months in the Post Hospital at Fort Sill. When he recovered he resigned and remained out of the service for about a year. The Indian troubles were about over now, and he prepared to return to his tepee and live in peace and comfort. The Spanish-American war soon broke out, and I-See-O was among the first to return to the colors. Unable to speak English he could hardly be of much use at that time so he was kept back at Fort Sill during the entire war. He had quite a responsible job, however, looking after the horses on the reservation. He held the status of scout until 1913 when all the Indians at Fort Sill were transferred to the Mescalera Reservation in Arizona. I-See-O then left the service and went to live with his family in the Big Bend of the Washita.

I-See-O, however, had become old in the service. He could no longer live by the sweat of his brow. He was stunned by the

complexities of modern economic life, was unable to render to the country he had served so well any further aid and seemed destined to end his days in poverty. It was then that his old commanding officer and loyal friend, not Lieutenant Scott now, but Major General Scott, Chief of Staff of the United States Army, who came to his assistance. He had heard about I-See-O's difficulties and made a personal appeal to the Secretary of War in his behalf. As a result I-See-O was re-enlisted at Fort Myer, Virginia, as a sergeant, and assigned to the Fort Sill Detachment, Indian Scouts. He was the only member of the organization and was the last living Kiowa Indian Scout.

General Scott, in a letter to Col. Granger Adams, commanding officer at Fort Sill, dated February 1, 1915, said: "I would like to have you let him live on the reservation or out among his people, as he elects, and see that he gets pay, clothing, and rations from your Quartermaster, and that when his time expires he be re-enlisted as a sergeant until he dies. He is old and mediaeval, his mind is back in the middle ages, and he has simply been stunned by civilization. I do not see how he survived this long. When the government needed him he was supremely loyal, against the wishes of his own people."

Another letter from Colonel Brewster to General Scott, said: "I-See-O is doing well. He has been living on the post. He is fixed up with a nice little house on Medicine Creek, east of the railroad. He has everything he needs and a few things he does not. For example, a range was put in the house but I notice he does all his cooking out of doors."

This letter from General Scott which is on file at Headquarters, Fort Sill, describes in detail the services of I-See-O to this government and explains why he has been made a sergeant for life in the United States Army.

"HEADQUARTERS
OFFICE OF THE COMMANDING GENERAL
Camp Dix, New Jersey.

July 8, 1918.

Brig. General E. H. Plummer,
Fort Sill, Okla.

My dear Plummer:

Your letter of July 1st was duly received, in which you enclose me a letter from my old friend, I-See-O. I fought for those people for seven years with all my time, money, effort and influence, a fact which they all recognized, and I know that I still have many friends among them. I find that they keep in rather close touch with my comings and goings and ups and downs, and it is very grateful to know that there are so many persons, interested in one, especially after such a long absence from them. They are people that never forget those that they believe are their real friends.

Thanking you for your letter, and with best wishes for yourself, I am

Very sincerely yours,

HUGH L. SCOTT,

Maj. General, U. S. A.,

Commanding.

“P. S.—I-See-O writes me in his letter that he feels happy over the treatment that he gets at Fort Sill. You may not know about him, but you will remember the time when Ghost or Messiah Dance spread all over the Plains in the North and South, and culminated in the Wounded Knee fight in '90 or '91. The Southern Indians had the same dance and I was put in charge by General Merritt, in command of the department at that time, and I led through those Southern tribes without a fight. It was largely through I-See-O that I got underneath the surface of affairs. He and I went about together wherever the excitement was greatest, sometimes in the Wichita mountains, sometimes in the Caddo country, or sometimes 150 miles up the Washita, and between us we pulled the Southern Indians through that troublesome time without firing a shot. When I left Fort Sill in '97, I left I-See-O Sergeant of the Scouts, but he got discouraged there with the treatment by some of the people of the post and resigned. He is one of the old time Indians, who are dazed by civilization and do not know how to make a living and never will. I represented his service to the Secretary of War, although he cannot be of use, yet his services in the past have been such that any pay that he receives has been more than earned years ago. General Mann took an interest in him when he was at Fort Sill, and I am very glad to

see that you are doing the same thing. I know a great deal about your services in the Navajo country and passed through various sections where they still speak of you with affection, and I am glad to see that you are taking an interest in the Kiowas and Comanches also.

—H. L. S.”

In spite of what the army tried to do for I-See-O he preferred to live in the good oldfashioned Indian way. The howling winds of the prairies which rocked even the permanent dwellings of the Fort Sill reservation held no terrors for the hardy old Indian. The army built I-See-O a comfortable little cottage and equipped it with many modern conveniences, including a range. I-See-O was pleased and gratified—but the old tepee still stood on the prairie where I-See-O slept in comfort as he did thirty years ago. He still cooked his meals in the open in the oldfashioned way, and frequently showed up at one of the army mess halls for a change. His cooking range he used as a chiffonier and as for his little cottage in the woods, he found that it served a much more useful purpose as a storeroom. He refused to cut his hair, and wore it in two long braids over his shoulders. He balked at heavy shoes, preferring his moccasins instead.

His sole duty in later years was showing up on payday. Payday with I-See-O was a time of rejoicing for many of his old comrades, for when the scout had money, he distributed it freely among his friends. Usually his guests would stay until the money ran out, then they would likewise depart. However, I-See-O was never in want, for the officers and enlisted men looked after his needs.

In writing to I-See-O, General Scott commended him for his efforts in preventing the uprising, as follows:

“HEADQUARTERS
OFFICE OF THE COMMANDING GENERAL
Camp Dix, New Jersey.

May 8, 1919.

My dear I-See-O:

I have your letter of May 1st about the death of my son, Hunter. I knew you would feel badly about it, because you used to know him when he was a little boy and he thought so much of

you and the Kiowa Indians. He was out at camp with me and with you at the time of the Ghost Dance when we were trying to keep the Kiowa and Apache Indians out of trouble. You did good work at that time, as you brought things about so that there was no one killed as there was in the North among the Sioux. You and I worked well together at that time, and the Indian people of Oklahoma owe you a great deal of thanks.

“If it had not been for you in those days there would have been great bloodshed among those people, as there was among the Sioux of the North, simply because they didn’t have anybody who understood both sides of the Indian and white man, and who was interested enough in the Indian to lead them quietly out of the trouble that was going on there. That is where I have been most useful to my Indian friends. The government wanted to disarm the Kiowas and Caddos and take their rifles and ammunition away from them, but I stood in between them and the government and it was not done, and you and I together brought all those Oklahoma tribes through the same excitement which brought about the death of so many Sioux Indians without firing a single shot, so the white people owe much to you as do your own people.

“The Navajos owe you something also, because we were enabled with Toclanny to keep quiet over in that country, and since then I have been able to do the same thing among the Navajos twice and the Piutes of Utah. It needs somebody who understands both races and is interested in both and is determined on their welfare.

“I am going to leave here in a few days and I will go on the retired list of the army. I have a farm at Princeton, N. J., where I was brought up as a boy and intend to make a home for my family there. I have 263 acres. There is good rainfall in that country, and I have many thoroughbred pigs. Pigs are very high now, and I hope to do well with the farm. I am glad to know that you and yours are well and happy.

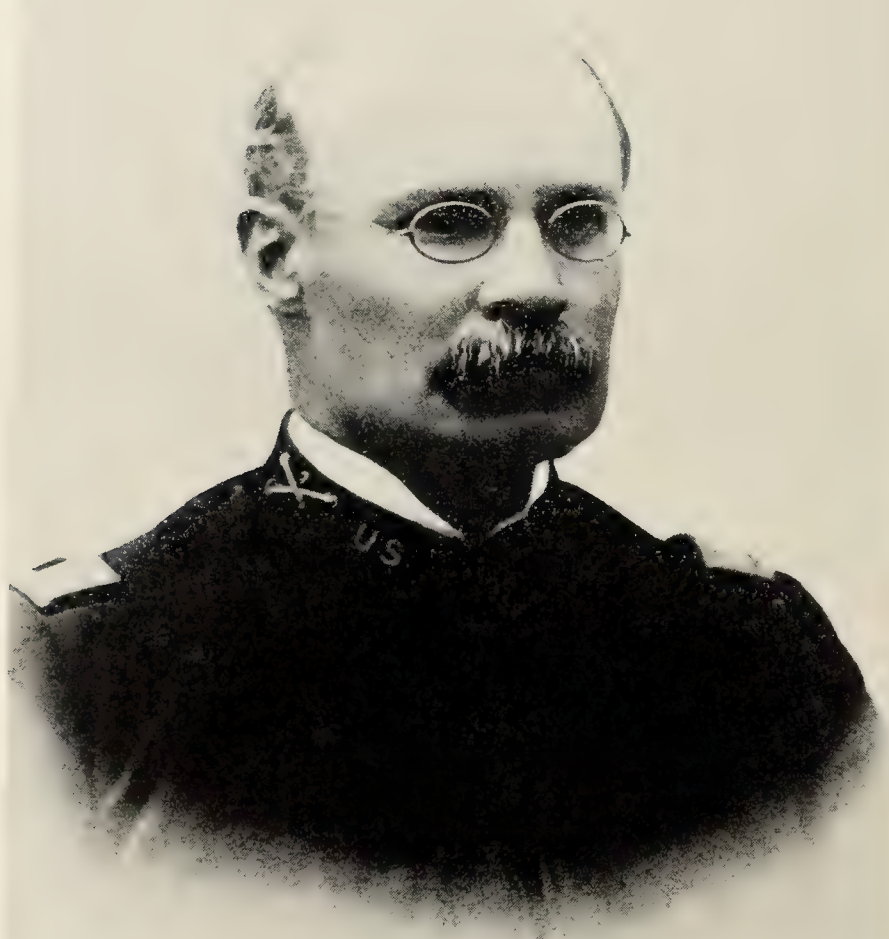
“I have been appointed on the Board of Indian Commissioners. They are gentlemen who go around through the Indian country and see that the Indian is treated justly. There are ten members on the Board, and when I can get around to it I want to

stop and see you. I am going to stop and see you and my other Kiowa, Comanche and Apache friends every chance I get. In the meantime, I thank you for your letter about my son. I have shown it to his wife and his mother, and they deeply appreciate the feeling that you have for him.

With best wishes for you and yours, I am

Always your friend,

HUGH L. SCOTT,
Maj. Gen. U. S. A.,
Commanding."



GEN. HUGH L. SCOTT

GEN. HUGH L. SCOTT

In an article appearing in this issue of the *Chronicles*, under the caption "Sergeant I-See-O, Kiowa Indian Scout," by Morris Swett, a great deal is said concerning Gen. Hugh L. Scott, including a letter from Scott to this Indian Scout. General Scott was commandant at Fort Sill for many years and was always recognized as a military man whose life was devoted to the promotion of peace rather than war. While stationed at Fort Sill he was recognized as a friend of the Indians and did much toward the advancement and civilization of the southwestern tribes. It is doubtful whether any white man ever had such a thorough knowledge of the Indian sign language as General Scott. In fact he was for many years considered the authority on this subject by the Bureau of Ethnology. General Scott was always a friend of Oklahoma where he spent so many years of his life in government service.

The following is an epitome of the biographical sketch, including the military career of General Hugh L. Scott, as published in *Who's Who in America*, 1932:

General Hugh Lenox Scott, officer in the United States Army; born Danville, Ky., September 22, 1853. Graduated from West Point, 1876. He had a number of college degrees conferred upon him from leading educational institutions of the United States, including LL.D., Columbia. He was assigned to the 9th Cavalry, June 15, 1876; transferred to 7th Cavalry, June 26, 1876; he was promoted through grades to Major General of the United States Army, April 30, 1915. He served in the Sioux expedition in 1876; Nez Perce' expedition, 1877. He was transferred to Oklahoma in 1891 and was placed in charge of the investigation of the Ghost Dance disturbances in 1890-91. He enlisted and commanded the Kiowa, Comanche and Apache Indians, troop L, 7th Cavalry in 1892; he was also in charge of Geronimo's band of Apache Indians, 1894-97. He was also on duty in the Bureau of Ethnology writing work on the sign language in 1897. He was Adjutant General of Cuba in 1898 to 1903; governor of Sulu Archipelago and commanding

the military post at Jolo, 1903-06; abolished slavery and the slave trade in Sulu Archipelago; he was superintendent and commandant at U. S. Military Academy at West Point, with rank of Colonel, September 1, 1906 to August 31, 1910. He had some military experience with the Hopi Indians in Arizona, he commanded the 3d Cavalry at Fort Sam Houston, 1912; commanded the 2nd Cavalry Brigade on the Mexican border, 1913-14; settled by diplomacy the Navajo Indian trouble at Beautiful Mountain, Ariz., November, 1913. He was assistant chief of general staff of the army, April 22, 1914. Settled by diplomacy the impending conflict on the Mexican border at Naco, Ariz., as well as on two other occasions at El Paso; settled Piute Indian trouble at Bluff, Utah, March 1915; he recovered property of foreigners confiscated by Villa, 1915. He was chief of staff of the U. S. Army from November 17, 1914 to September 22, 1917. Retired by operation of law September 22, 1917, but retained on active duty to May 12, 1919. He located in New Jersey and became State Highway Commissioner in 1932; member U. S. Commission to Russia in 1917. During the World War he was at the front but not in active command. He served at the front with the French Division, also with the British Division.

Besides his long and distinguished military service, Gen. Hugh Scott was the author of books; one, "Some Memories of a Soldier," 1928, and wrote much pertaining to the Plains Indians.

General Hugh Scott, retired Army Officer, lived at Princeton, N. J. He was elected an honorary member of the Oklahoma Historical Society, November 16, 1923, and received the *Chronicles of Oklahoma* until his death which, according to the records of the Society, occurred April 30, 1934. —D. W. P.

BOOK REVIEW

Around Tahlequah Council Fires, by T. L. Ballenger, Tahlequah, \$1.50.

Tahlequah is outstanding in the history of Oklahoma for several reasons: incorporated in 1843, it is the oldest town in the state; there was assembled the first legislative body when the Cherokee Council began its deliberations. Our first newspaper was launched there more than ninety years ago. Tahlequah and the Cherokee government and advanced schools contributed more to the culture of our state in its formative period than any other community. There is clustered more of romance and tradition than is to be found in any other locality in Oklahoma. Lavishly gifted by nature with bountiful springs, and adorned by beautiful hills and forests, it is little wonder that the Cherokees chose it for their national capital.

It is only natural that the head of the history department of the Northeastern State Teachers College at Tahlequah, a school domiciled in the old Cherokee Female Seminary, should have felt the call to record for posterity some of the charm, tradition and history of this romantic place. Professor Ballenger, long a resident of Tahlequah, has found his greatest pleasure in listening to the old residents tell of the times and incidents associated with the early days of his home town.

He has been a student of Cherokee history, and from his large fund of information has presented in a simple and interesting manner some of the lore he has accumulated. He has made his offering in twenty-three short chapters or vignettes, with names that suggest the treatment of his subject, such as "The name Tahlequah", "The Forty-niners from Tahlequah", "Early Indian Justice", "Love Affairs of a Cherokee Chief", "The Westminster Abbey of Tahlequah", "When the James Boys Visited Tahlequah" and "Indian Stories."

Of all of them, however, this reviewer likes best the reminiscences and gossip of the old oak tree standing on the historic council ground now in the middle of the town. This venerable tree

and first resident discloses many early incidents of the place, and recalls events significant in the history of the Cherokee Nation. As an observer, he tells you of the great international council of 1843, one of the most important councils, and certainly the most colorful pageant in Oklahoma history. He tells you of comings and goings of citizens long since passed to their reward; of the whippings and hangings of culprits within his vision; of shooting affrays; of the Mormons laboring nearby on the erection of early structures for Cherokees, and many other interesting scenes in the old town. He does not tell you, however, of the impending vandalism that threatens to invade the sacred precincts of the old council ground with a public building.

Mr. Ballenger has pointed the way for the discovery and illumination of our regional history. The study and knowledge of Oklahoma will profit if his example is followed in other sections of the state.—G. F.

MINUTES OF THE MEETING OF THE BOARD OF DIRECTORS

July 25, 1935.

The quarterly meeting of the Board of Directors of the Oklahoma Historical Society was called to order in the Historical building, Oklahoma City, Oklahoma, at 10:00 A. M. July 25, 1935, with Judge Thomas H. Doyle, President, presiding.

The Secretary called the roll which showed the following members present: Judge Thomas A. Edwards, Judge William P. Thompson, Dr. Emma Estill-Harbour, Mrs. Jessie E. Moore, Gen. Charles F. Barrett, Mr. George H. Evans, Gen. R. A. Sneed, Judge Thomas H. Doyle, Col. A. N. Leecraft, Mrs. Roberta C. Lawson, Mr. John B. Meserve, Judge R. L. Williams, Mrs. Blanche Lucas, Dr. Grant Foreman, Judge Samuel W. Hayes, Gen. William S. Key, Judge Baxter Taylor, Mrs. John R. Williams, and Dan W. Peery, the Secretary.

The Secretary reported that letters were received explaining the absence of Dr. E. E. Dale, who was teaching in Ohio State University for the summer term and Judge Harry Campbell who was in California attending a meeting of the American Bar Association, and it was reported that Mrs. Frank Korn was sick.

The reading of the minutes of the meeting of the Board of Directors held April 25, 1935, was dispensed with since the minutes were printed in Chronicles, with the following correction: on page 3, 8th paragraph the word **and** should be inserted between University and at making it read at Arkansas State University and at Fort Smith.

The Secretary read his report on the activities of the Society for the second quarter.

The Treasurer read her report for the second quarter, which showed a balance of \$777.00 in the treasury, which report was ordered received and filed.

Mrs. Jessie E. Moore reported progress on moving the old Chickasaw Council House to the grounds of the County Court House, which was formerly the old capitol grounds, and restoring same.

Judge R. L. Williams, chairman of the committee on employees, read the following report:

"The committee heretofore appointed relative to Secretary, Librarian and other employees beginning on the Thursday after the fourth Wednesday in January, 1936, having carefully investigated and considered the matter, by a majority vote of the entire committee recommend C. C. Bush, Jr., for Secretary beginning on said date and ask for further time for report as to Librarian and other employees; and moved that the report be adopted. Motion was seconded and carried.

Judge R. L. Williams presented to the Society for its archives a card issued to Walter G. Gibbons by J. M. Aydelotte, Chairman of the Oklahoma State Council of Defense, dated Dec. 6, 1917, and signed by R. L. Williams, as Governor, which upon motion was ordered received as part of the archives of the Society.

The request of the State Game and Fish Commission for space in the Historical Building for office and exhibits was discussed, and upon motion space was granted in the Historical building for exhibits only.

Miss Muriel H. Wright presented a WPA project which proposed a study of the Indians of Oklahoma with respect to their histories, biographies, languages, customs, music, art and folklore, and asked for space in the Historical building for the office force.

Judge R. L. Williams moved that office space where available be allocated to the Indian WPA project. Motion was seconded and carried.

Dr. Emma Estill-Harbour moved that those in charge of said project be permitted to use what is called the Women's Room temporarily for this work. Motion was seconded and carried.

Dr. Grant Foreman discussed the room and equipment necessary for the WPA workers on the Historical Society project, and moved that the Directors' Room be assigned for cataloguing, indexing and classifying Indian records placed in our custody by the United States Government. Motion was seconded.

Mrs. Jessie E. Moore moved to amend by also providing that all tables be covered with cloth, the expense to be paid out of the private funds of the society if no other funds are available, and that machines be placed on improvised tables, that is that the tables be protected from damage. The amendment to the motion was accepted.

Judge R. L. Williams moved to further amend by adding that access be had to all reading rooms for work in cataloguing and indexing newspapers, and that space for each department be worked out and set aside so that the Historical Society in sponsoring this project have first claim for space available. The amendment to the amendment was accepted, and the motion as thus amended was carried.

Dr. Grant Foreman moved that the Governor be requested to authorize the transfer of \$1500.00 from the Publication Fund (Acct. No. 18—1936 Fund) to the supply fund to provide for all necessary material for the WPA workers in both projects. Motion was seconded and carried.

Dr. Grant Foreman read the following resolution:

WHEREAS, the Printing Press is the great civilizing influence and the most potent agency through which progress and culture have been promoted and achieved within the State of Oklahoma; and

WHEREAS, the first printing press within the State began the work of producing books and pamphlets in the summer of 1835, and

WHEREAS, thoughtful persons appreciative of our progress recognize the significance of this cultural agency and the propriety of observing the one hundredth anniversary of its beginning;

NOW, THEREFORE, the Directors of the Oklahoma Historical Society in quarterly meeting express the hope that the people of Oklahoma consider and appreciate the tremendous influence of the printing press on the destiny of our State and the welfare of our citizens and join with the Oklahoma Press Association and the University of Oklahoma Press in calling for an appropriate observance of the centenary of an event so vital to our history, and of the illustrious career of the fourth estate during the succeeding one hundred years; and we further pledge the Oklahoma Historical

Society to cooperate with the Oklahoma Press Association and the University of Oklahoma Press in making the proposed celebration an occasion in keeping with its importance and significance.

Dr. Grant Foreman moved that a committee of five, with Mr. George H. Evans as chairman, be appointed to co-operate with the Oklahoma Press Association and the University of Oklahoma Press in celebrating this forthcoming anniversary of the introduction of the printing press in Oklahoma. Motion was seconded and carried.

The Chair appointed Mrs. Blanche Lucas, Gen. Charles F. Barrett, Dr. Grant Foreman and Mrs. Roberta C. Lawson to serve with Mr. Evans on this committee.

Dr. Grant Foreman discussed his visit to Arkansas to make a survey of Oklahoma material at Fayetteville and Fort Smith, and Judge R. L. Williams moved that Doctor Foreman be requested to correspond with Dr. Dallas Herndon, Director of the Arkansas Historical Commission, concerning these archives at Fayetteville, Fort Smith and other points in Arkansas, with a view of arranging a project from the Arkansas Commission for the assembling of such historical data. Motion was seconded and carried.

Judge R. L. Williams moved that \$150.00 be set aside out of the private funds of the Society, in two allotments of \$75.00 each to be allocated as follows: First prize \$25.00, second prize \$20.00, third prize \$15.00, fourth prize \$10.00, and fifth prize \$5.00. One allotment to be offered to seniors of Junior Colleges and the other allotment to the seniors of High Schools, the prizes from each respective allotment to be offered senior class students for best articles on towns and individuals who are deceased, and a committee of five to be appointed to arrange for such contest, the committee to limit length of articles, etc., and an extra copy of all articles to be filed with the Secretary of the Oklahoma Historical Society. Motion was seconded and carried.

Dr. Grant Foreman transmitted to the Society six pictures, which Samuel Worcester Robertson, brother of Hon. Alice M. Robertson, had presented to Mrs. Foreman.

A correction was offered to the minutes of the Annual Meeting held May 10-11, 1935, which appeared in the June number of *Chronicles of Oklahoma*, i. e. the omission of the following paragraphs:

"Mr. John B. Meserve, of Tulsa, presented to the Society a picture of the First Republican Convention held in Indian Territory, which met at McAlester in 1893.

Judge R. L. Williams moved that the donation be accepted and that the Society thank Mr. Meserve for the same."

Mrs. John R. Williams presented to the Society for the Museum a piece of gold lace made in the Zenena Missions, Travancore, South India, the donors wishing their names withheld.

Dr. Emma Estill-Harbour moved that the lace be accepted and that a letter of thanks be written to the donors. Motion was seconded and carried.

The matter of books missing from the library was discussed, and it was reported that the book entitled "Musings of the Pilgrim Bard," by Scott Cummins had been loaned to Ex. Gov. William H. Murray and had not been returned.

Judge R. L. Williams moved that the Secretary be instructed to write to Ex. Gov. William H. Murray and request him to return this book. Motion was seconded and carried.

The Chair appointed the following committee on the prize contest: Judge R. L. Williams, Chairman, Dr. Emma Estill-Harbour, Mrs. Roberta C. Lawson, Mr. John B. Meserve and Col. A. N. Leecraft.

Dr. Grant Foreman called attention to the fact that Roy M. Johnson had forfeited his membership on the Board of Directors by reason of his continued absence from meetings of the Board of Directors, and nominated James H. Gardner to fill the unexpired term.

The President asked Dr. Emma Estill-Harbour, Vice President, to take the Chair.

Judge Thomas H. Doyle nominated Robert A. Hefner, Sr., to take the place of Roy M. Johnson on the Board.

Mr. John B. Meserve moved that Mrs. T. B. Ferguson's place on the Board be declared vacant on account of continued absence from meetings of the Board of Directors. Motion was seconded and carried.

Mr. John B. Meserve moved that James H. Gardner be nominated to fill the place of Roy M. Johnson and that Robert A. Hefner, Sr., be nominated to fill the place of Mrs. T. B. Ferguson on the Board of Directors, and further moved that the rules be suspended and that they be elected by acclamation. Motion was seconded and carried, and the Chair declared James H. Gardner and Robert A. Hefner, Sr., duly elected to serve on the Board of Directors until the next general election.

The following list of applicants for membership in the Society was submitted by the Secretary:

LIFE: Waite Phillips, Tulsa.

ANNUAL: James N. Beery, Kansas City, Missouri; Mrs. David L. Brown, Pontiac, Michigan; F. W. Cherryhomes, Tulsa; Chas. E. Cummings, Okmulgee; Judge F. Hiner Dale, Guymon; Mrs. Frank C. Doble, Cambridge, Mass.; F. S. Douglas, Sulphur; Edward E. Ellis, Oklahoma City; Mabel C. Fuller, Oklahoma City; Mrs. Marie Garland, Oklahoma City; Harry O. Glasser, Enid; Mrs. Harry O. Glasser, Enid; Bud Hatchcock, Tulsa; William A. Hiatt, Okmulgee; Ed. Hicks, Sr., Tahlequah; Roland Hinds, Weleetka; Frank S. Howard, Baron; Mrs. Sadie La Fon, Bartlesville; B. L. Maulsby, Enid; W. F. Newbold, Muskogee; T. C. Peters, Tulsa; R. D. Pine, Okmulgee; Randall Pitman, Shawnee; Rev. W. M. Rader, Okmulgee; Mrs. Gus Welch, Lawrence, Kans.; Mrs. Carl Wortz, Jr., Fort Smith, Arkansas; Icelle E. Wright, Stillwater.

Upon motion they were duly received into membership.

The Chair declared the meeting adjourned.

Dan W. Peery, Secretary.	Judge Thomas H. Doyle, President, presiding.
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DR. J. W. McCLENDON

(1867-1934)

Dr. J. W. McClendon was born June 6, 1867, in the State of Louisiana. While he was quite young his family moved to Bonham, Texas, where he spent his early boyhood and where he received his early elementary education. Both of his parents died and most of his boyhood days were spent with a cousin. As a young man he was full of energy and ambition and worked during the summer months to finance his education. He was a graduate of the Louisville, Kentucky School of Medicine and took a Post-Graduate course at Tulane University in New Orleans, Louisiana. On April 26, 1892 he was granted at Bonham, Texas a certificate entitling him to practice medicine and surgery. This certificate was granted by the Medical Examiners Board of the Sixth Judicial District of the State of Texas. In 1894 he moved to Atoka in Indian Territory. On October 2, 1905 he was united in marriage to Miss Catherine Harkins. His wife survives him and is a prominent and much beloved musician of McAlester, Oklahoma.

The writer has been unable to secure Dr. McClendon's Masonic record, yet, it is known that he was a member of a Blue Lodge of Bonham, Texas and that his father held Masonic Honors. He was in every sense a self-made man and always was willing to try things out and conquer the things of life, which he usually did. Those who knew him best speak of him as one who always got the most out of life and had a zest for living. His versatility is evidenced by the many enterprises in which he was successful.

Dr. McClendon's father was a farmer. Other members of his family were physicians and he seems to have inherited a natural aptitude in this profession. At Atoka Dr. McClendon was a prominent and influential community leader while practicing medicine. In July, 1895, he was granted a medical certificate authorizing him to practice medicine and surgery in the Choctaw Nation. On February 4, 1897, Chief Green McCurtain of the Choctaw Nation appointed Dr. McClendon a member of the Medical Board of the Choctaw Nation. He was also interested extensively in the cattle business, then thriving throughout that section.

On June 10, 1912, Dr. McClendon presided over a meeting of civic clubs and state officials held at Atoka. At this meeting, preliminary plans were made for the construction of a highway from Kansas to Texas along the Katy railroad. He was also made president of the Southeastern Oklahoma Good Roads Association at that time. Among the prominent men attending this meeting were Perry Freeman, McAlester; A. N. Leecraft, Colbert; Hon. Sidney Suggs, Oklahoma City; and A. S. Burrows of Denison, Texas.

It is very difficult to find out many things about our subject which the reader would like to know, because Dr. McClendon was not inclined to talk about himself. The following is a quotation from a letter which his favorite nephew and nearest living relative wrote: "He didn't and wouldn't talk about himself. I have asked him about his people and himself, but he would rather talk about you or me. He loved children and was very calm and easy to get along with. I noticed he always liked to attend to minute details. Dr. McClendon was a lover of good horses and bird dogs and enjoyed hunting above all other sports."

Among papers which Dr. McClendon left is a Game License issued by the State of Wyoming permitting him to hunt Elk, Deer, Antelope, and Mountain Sheep within the State of Wyoming. Also, there is a photograph of Dr. McClendon and a Mr. H. Hutchinson taken at Atoka November 1909, showing that at least one of his hunting expeditions was successful. In the photograph Dr. McClendon is seated in an automobile of that period. On the back of it is tied a full grown Buck.

At Atoka and later at McAlester where he lived, Dr. McClendon took great pride in civic work and was a man of strong personality and good business ability. Upon his removal to McAlester in November 1914, he became interested in the real estate and oil business, but about six years ago resumed the practice of his profession at Earlsboro.

For a number of years Dr. McClendon had been a life member of the Oklahoma State Historical Society. He and his wife have made some splendid contributions to the Museum.

By appointment of William H. Murray, Dr. McClendon was placed at the head of Western Oklahoma Hospital of Supply. This big institution with approximately thirteen hundred patients and a three thousand acre farm responded immediately to his care and direction. He took charge of the institution in April 1934, and the employees of that place declare that he brought cheerfulness and happiness to all who were connected with the institution.

When news of Dr. McClendon's death reached Oklahoma City, the State Flag on the State Capitol Building was placed at half mast in tribute to his life of helpfulness. His death was sudden and unexpected. He had driven from Supply to his home at 400 East Creek Street, McAlester, to celebrate his wedding anniversary and during the night suffered an attack of heart trouble and passed away at 4:15 o'clock the following morning, October 3, 1934. He was a member of the Methodist Church at McAlester and was active in the society of his profession. Those who knew him best speak of him as a man of high intellect and professional attainment. He showed at all times deep human sympathy and wide tolerance for the frailties of humanity. — OHLAND MORTON



FRANK STAPLER HOWARD

FRANK STAPLER HOWARD

1873-1935

Born near what is now Wauhatchie, in Adair County, Oklahoma, on January 30, 1873; son of Frank Howard, who was born in Bridgeport, Connecticut, on November 26, 1840, and who, removing to the Cherokee Nation, Indian Territory, in 1868, founded the Town of Baron, now in Adair County, Oklahoma. In 1870 Frank Howard was united in marriage with Sallie Starr, daughter of Joseph (Noon) McMann Starr and Delilah Starr, a Cherokee family, prominent among the Cherokees both east and west. To that union three children came, to-wit: Ollie, who is the wife of Bry Dillon and who now resides at Hot Springs, Arkansas, Percy P., and Frank Stapler Howard, the former now residing at Baron, Oklahoma. On April 15, 1877, occurred the death of Delilah Starr. In 1880 Frank Howard took a second wife in the person of Miss Josephine Landrum, daughter of Dave Landrum. One child was the issue of this second marriage, Josephine, now Mrs. Andrew Rogers of Fort Gibson, Oklahoma.

Frank Stapler Howard attended the tribal schools of the Cherokee Nation and the high school at Joplin, Missouri. After reaching his majority he engaged in farming and agricultural pursuits near Miami, on a farm he owned at the time of his death. After about fifteen years he removed to Baron where he engaged in the general mercantile business. He also organized the Guaranty Bank at Watts, Oklahoma, and the Peoples Bank at Westville, Oklahoma. Afterwards the bank at Watts was removed to Westville and consolidated with the Peoples Bank of which he was president at the time of his death. For four years, from 1911 to 1915, he was chairman of the Board of County Commissioners for Adair County. In 1923 he was again elected a member of this board serving the term from 1923 to 1924.

In 1895 he was married to Miss Callie Allen, a daughter of F. F. and Sarah Allen, who resided near Miami, Oklahoma, and who died in 1899, leaving surviving as a result of said union two children: Catherine, now Mrs. John Crass of Tulsa, and Manila Dewey, now Mrs. D. L. Rickenbrode of Port Arthur, Texas. In May 1901 Mr. Howard and Miss Ella B. Clyne, daughter of John and Jennie Clyne of Baron, were married, and to this second marriage came four children; Sallie, now Mrs. Loring Ross, Ella Mae, now Mrs. E. G. Carroll, Eddie Starr Howard, all of Baron, and Grover Franklin Howard of Westville, Oklahoma.

On reaching his majority he gave his political allegiance to the Democratic party in the activities of which he bore a prominent part. He was a member of the Methodist Episcopal Church, South, and fraternally a member of the Elks and Masons. During the World War he was chairman of War Savings Stamp campaign in Adair County, Superintendent of the Fourth Red Cross drive, also the Liberty Loan drives, and was a member of the War Exemption Board of said county. When the Muskogee Production Credit Corporation was organized, in the early part of 1934, Mr. Howard became its first president and continued to act in that capacity until his death. With the development of the fruit, vegetable and garden industries in his county he engaged in the canning business and at the height of the season employed as many as 150 people at Baron. He was also one of the most extensive landowners in said county.

Mr. Howard was killed on the afternoon of July 17, 1935, by a bolt of lightning, and was buried in the family cemetery near his home at Baron on July 19, 1935. He was a man of unbounded energy, never idle, but finding pleasure in work and industry, ever evincing a desire to be of assistance to his neighbor and friend, aiding them reasonably in every work. During the depression many of his neighbors were not only fed but their children also were protected from the cold by shoes and clothing provided by him; whilst being a capable and sound business man, yet he showed a spirit of benevolence and philanthropy. He was a leader in laying the foundation of the road system in Adair County. A man of good judgment with a fair vision into the future, with an optimistic spirit yet he was firm and courageous in his conviction. Adair County has lost its leading citizen who was never too busy to aid in any movement for its benefit and development.

— R. L. WILLIAMS.

JOHN RANDOLPH FRAZIER

1863—1935

In the passing of John Randolph Frazier at Oklahoma City, on July 24, 1935, the directors of the Oklahoma Historical Society feel a personal bereavement, not only from the loss of a good citizen, but from the fact that Mrs. Frazier was a member of the board of directors of this Society from 1923 to 1929.

Marmaduke Frazier, the father of John Randolph Frazier, emigrated to Arkansas from Randolph County, North Carolina, in 1848. He was of Scotch descent, and traced his ancestry back many years. Although the family was impoverished by the warfare in Kentucky waged between the North and South, the subject of this sketch, by perseverance, hard work, and the aid of a resourceful father, obtained a fair education. He attended Buckner College near Huntington, Arkansas, and later finished his schooling at the University of that state. For a few years he taught school. In 1887, on the advice of his father then a prosperous farmer and land-owner, he decided to enter the mercantile business in Mansfield, Arkansas, which at that time was a new town at the terminus of the newly constructed Midland Valley Railroad.

In 1892 Mr. Frazier was united in marriage with Maud J. Hamilton, daughter of a missionary Methodist evangelist. To them four children were born, the eldest of whom was Ernestine, now deceased; Mrs. Homer E. Pace of Wilburton, Oklahoma; James R. Frazier of Wewoka, Oklahoma, and J. Floyd Frazier of Oklahoma City, Oklahoma.

In 1902, Mr. Frazier moved his family and mercantile business to Wilburton, Indian Territory. Here he continued to live until 1928, when ill health forced him to retire from active business. He afterward lived in McAlester, and for the last two years of his life resided in Oklahoma City. At the time of his death he still owned considerable property in Wilburton and Latimer County. During his last years he cherished the memory and love of his old friends in Wilburton and Mansfield as his most prized possession.

Mr. Frazier took personal pride in the reputation he had established for integrity and he is remembered as a man who never avoided an obligation, either in the spirit or in the letter of an agreement; and one who tried by precept and example to make the world a better place in which to live, and to teach others that industry, thrift and conservative living point the way to real happiness.

—G. F.

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A FIVE MINUTE HISTORY OF OKLAHOMA

By Patrick J. Hurley, former Secretary of War.

From a Radio Address Delivered November 14, 1935.

The State of Oklahoma was admitted to the Union 28 years ago. Spaniards led by Coronado traversed what is now the State of Oklahoma 67 years before the first English settlement in Virginia and 79 years before the Pilgrims landed at Plymouth Rock. All of the land now in Oklahoma except a little strip known as the panhandle was acquired by the United States from France in the Louisiana Purchase.

Early in the nineteenth century the United States moved the five civilized tribes, the Cherokees, Creeks, Choctaws, Chickasaws, and Seminoles, from southeastern states to lands west of the Mississippi River, the title to which was transferred to the tribes in exchange for part of their lands in the East. *The newly acquired land was named Indian Territory.*

The circumstances in connection with the transfer of the five tribes constitutes one of the most ruthless incidents in American history. The Cherokees had to fight the Osages, aboriginal Indians of Indian Territory, for the right to occupy the land conveyed to them by the government. There were also civil wars within the tribes. Each of the five civilized tribes established a separate government in Indian Territory, all of which were Republican in form. The chief industry of the civilized Indians was agriculture and stock raising. They established school systems and made fine progress.

Some of the Indians who moved west owned slaves. This gave Indian Territory a decided tendency toward the Confederacy. The five tribes supported the cause of the Confederate States. After the Civil War, and largely as a punitive measure on account of the

attitude of the five tribes toward the United States Government during the war, the tribes were required to cede all of their western outlets back to the United States. Friendly tribes of Indians were settled on parts of the land returned to the government. *The land ceded back to the United States by the five civilized tribes became Oklahoma Territory.* The five civilized tribes continued to occupy what then remained of Indian Territory. After the Civil War the number of white people residing in Indian Territory continued to increase. These white residents had no tribal rights except when they intermarried with members of the tribes or were adopted. Slaves who were freed in Indian Territory by the Civil War were finally admitted to citizenship in the tribes. Before the United States Court was given jurisdiction over Indian Territory it became the "hide-out" for many outlaws.

One of the most thrilling episodes in southwestern history was the opening of Oklahoma Territory to white settlement. It began in 1889. It was completed in 1906.

From 1898 to 1902 the United States entered into agreements with each of the Indian tribes for the allotment of their tribal lands in severalty. Each Indian was allotted his or her proportionate share of the tribal lands, and the tribal titles and tribal governments were extinguished. *In 1907 Oklahoma Territory and Indian Territory became the State of Oklahoma.*

The desire for land on this last American frontier brought hundreds of thousands of settlers to Oklahoma. The development of the coal, lead, zinc, oil, gas, and agricultural resources brought millions of people to the new state. Railways and highways provide transportation for every section of the state. No state in the Union is provided with more ample educational facilities. All the leading sects of the Christian religion have prospered in Oklahoma. Many churches and religious institutions have been built. Great wealth has come to many through the development of the resources of the state.

The basic element in the citizenship of the state is, of course, Indian and frontier people. The rush to Oklahoma brought the most hardy and aggressive sons and daughters of the pioneers from other states. The newcomers have furnished nearly all of the out-

standing political leadership of the new state. Oklahoma has never had a native born Governor or a United States Senator. At the present time it has only one native born member of Congress. In other lines, however, natives have achieved outstanding preeminence. Among the natives of Indian blood we find the names of Alex Posey and Will Rogers. Troops from the territories participated with distinction in the Spanish-American War and troops from the State of Oklahoma fought on the fields of France in the World War. More than ninety-eight percent of the population of the state is native American. The citizenship of Oklahoma has all of the courage of its pioneer fathers and all of the strength and kindliness of its pioneer mothers.

ADDRESS IN COMMEMORATION OF WILEY POST

before the

OKLAHOMA STATE SOCIETY OF WASHINGTON, D. C.,
AT THE TWENTY-EIGHTH OKLAHOMA STATEHOOD
ANNIVERSARY

by

PAUL A. WALKER

of Oklahoma,

Chairman, Telephone Division,
Federal Communications Commission.

Out of the skies last August flashed from Alaska the tragic news of the death of Will Rogers and Wiley Post. Tonight Oklahomans join in honoring these dauntless pioneers. It is my privilege to pay an humble tribute to Wiley Post, outstanding pioneer aviator.

Amid beautiful surroundings in Ponca City, Oklahoma is a park given to the State by its present Chief Executive. In it rises a striking monument. It is a statue of the "Pioneer Woman," one of the characteristic figures in American history. There she stands, erect, head high, Bible and bundle in hand, leading her little son, ready to set forth with sublime courage in quest of new lands and a new home in God's free and open country.

Of such stock is the pioneer, and of such spirit was the sturdy Oklahoma farm boy whose renown as conqueror of the skies we are proud to acclaim. It was that same pioneering spirit, deeply ingrained in the very soul and being of Wiley Post, which spurred the founders of our State ever onward to the exploration and settlement of new territory and to countless unselfish deeds of daring and adventure.

To duplicate the performance of others was never sufficient for this hero of the air. Nor did misfortune daunt him in the determined pursuit of his purposes. Partially blinded by an explosion in the oil fields, with the sight of one eye irretrievably lost, it is a matter of common knowledge how this farmer boy of

the Southwest turned even that major disaster to account and with the minor sum awarded him as compensation for that accident purchased a secondhand airplane and proceeded to demonstrate the indomitable nature within him that was an utter stranger to defeat.

While stunt flying and parachute jumping were scarcely out of the cradle as hazardous spectacles, this daring young aeronautist was providing thrills for thousands with his skill in maneuvering his plane. It was nothing for him to drop, plummet-like, from the sky to a hundred safe parachute landings.

Having thoroughly exploited the possibilities of such spectacles, they held little further interest for him and he was off in search of new adventures. Speed, and yet more speed became his passion. The Chicago-Los Angeles Air Derby of 1930 provided an avenue for the exercise of his skill in coaxing the utmost out of a flying machine. In winning that classic against all comers, winging his way 1760 miles in nine hours, nine minutes, and four seconds, at the age of thirty he created for himself a distinct place among the captains of the aeronautic world.

And still his insatiable flair for the untried, handed down to him as a legacy from his pioneering ancestry, drove him on to deeds of greater fame. What more venturesome than to circle the globe by chart and compass, through clouds and storms, beneath burning sun and star-lit heavens, trail-blazing in the air! This did Wiley Post presently, with Harold Gatty as navigator, the "Winnie Mae" roaring down out of the blue to rest in a New York landing field in a few hours more than eight days after taking off on her flight from Harbor Grace, Newfoundland.

But ambition continued to ride the wings of his soaring plane. Even as Lindbergh had thrilled the world by his non-stop trans-oceanic flight, so did this pioneering Oklahoman, impelled by an urge that would brook no denial, set out upon his greatest exploit of all, no less a feat than flying alone around the world. Aeronautics have written the story of that achievement in never-fading letters upon the page of our Nation's history. The record of seven days, 18 minutes, and 49 seconds which Post hung up in that epochal flight still stands as a challenge to airmen in the years to come.

What of Post's excursions but a few months since in the region of the stratosphere, that mysterious upper air area of Arctic temperature which begins some nine miles above the earth's surface and wherein no human being can live without artificial means? Were these excursions failures? Perhaps so, in the immediate sense that in none of his four attempts from California was he able to gain his goal of reaching New York in record time through this rarefied medium. But, when due account is taken of the worth of his observations noted during these flights, they were far from failures, for largely upon that data Army and aeronautic engineers are now engaged in designing the equipment destined ultimately to make stratosphere navigation possible. When, in future years, our airplanes go hurtling at unbelievable speeds through this belt of intense cold, unhampered by clouds and storms and aided rather than impeded by its mild and constant currents, then will this daring aviator-pioneer's contribution to our sum of knowledge prove its value. In this respect there was no anti-climax to his career. As has been well said: "Wiley Post would ask no greater monument, and he deserves no less a one, than successful flights in the stratosphere."

Even to the very end Post ran consistently true to form. Was it merely a grim coincidence, or was it the moving finger of fate that beckoned him on to the very verge of civilization for his final takeoff? What more fitting than that one of his spirit, ever reaching out beyond the confines of the accomplished into unadventured fields, should have met the inevitable at one of our farthest outposts. It was as though his restless soul, freed at length from restraint, took its flight from the uttermost boundary of the conventional into the vast unknown, just as he had often piloted his plane into uncharted aerial realms. And Wiley Post died as doubtless he would have died had he been free to choose the manner of his going. Indeed, as he once said to a friend, "Sure, I know it's dangerous. But if I get popped off, that's the way I want to go. Doing the things I want to do."

And so he went, this intrepid adventurer. Of him it might with equal truth be said as was uttered in a eulogy of that beloved philosopher-humorist who accompanied his pilot beyond the setting sun: "He loved to venture where new things could be learned and greater progress attained. If we could see beyond the azure sky

into which he loved to fly, I expect we would know now that he is realizing his fondest dreams to know and do something untried and new."

"Who are these that fly as a cloud?" was the appropriate Scriptural text chosen by the pastor of the First Baptist Church of Oklahoma City in pronouncing the Post funeral oration. Posterity, and loyal Oklahomans everywhere who honor his memory may well reply: "These are they whose flights bear them into the unknown and to untried heights, ever doing with all their God-given might, even as Wiley Post, the things they want to do, to advance the boundaries of knowledge and the well being of humanity'."

As we reflect upon his achievements, across the western sky in prophetic vision floats this legend of hope and faith, inspirational to the pioneer spirit throughout the years to come: "Fly on, Wiley Post, fly on!"

RESOLUTIONS OF THE OKLAHOMA STATE SOCIETY OF
WASHINGTON, D. C., ON THE DEATHS OF WILL ROGERS
AND WILEY POST.

WHEREAS, on Thursday, the fifteenth day of August, nineteen hundred and thirty-five, through the act of an inscrutable Providence, two distinguished sons of Oklahoma, Will Rogers and Wiley Post, who had reflected imperishable credit upon their native Commonwealth, simultaneously met with an untimely fate, to the irreparable loss of their State and Nation, and

WHEREAS, these illustrious characters were known and beloved throughout the length and breadth of the land, and had endeared themselves to the hearts of all humanity by their character and achievements, and

WHEREAS, Will Rogers was the outstanding philosopher of this age—a man of sturdy character, keen perception, sparkling wit and wholesome and refreshing humor—an unspoiled child of nature, who looked down upon no man, and looked up to none—a true friend of all humanity, and

WHEREAS, Wiley Post had established himself as a leader in the new field of aerial navigation, and

WHEREAS, the keen, benevolent, kindly and wholesome humor and philosophy of the one, and the noteworthy contributions to the cause of science and aviation of the other, have created for these distinguished citizens an undying fame, wherein their State shared as by a mirrored glory, and

WHEREAS, in this lamentable tragedy, Oklahoma has lost two of its foremost citizens, whose memory shall ever remain a living inspiration to all Americans, now, therefore,

BE IT RESOLVED, That the Oklahoma State Society of Washington, desires to inscribe upon the record an expression of the Society's profound sorrow at the tragic death of Will Rogers and Wiley Post, a sentiment to be preserved in the archives of the organization, as an enduring testimonial to their deeds, their fame, and their imperishable service to their State, their Nation, and humanity.

BE IT FURTHER RESOLVED, That a copy of these resolutions be transmitted to the bereaved families of the deceased in token of the affection and sympathy of the Oklahoma State Society of Washington, D. C., and that a copy thereof be preserved in the archives of the Society.

D. A. McDougal, Paul A. Walker, Frank P. Douglass,

COMMITTEE.

HISTORY OF OKLAHOMA'S SCHOOL ENDOWMENT

D. W. P.

Judge R. E. Wood, who was for several years connected with the administration of the School Land department wrote an article relating to the public lands of Oklahoma. The article was entitled: "HISTORY OF THE ACQUISITION OF THE DIFFERENT CLASSES OF STATE AND SCHOOL LANDS OF OKLAHOMA."

This thesis was submitted to the Oklahoma Historical Society and was printed by W. P. Campbell, Custodian in charge, in *Historia*, October 1, 1919, and is now in the files of the Society.

Judge Wood was an able man and a close conscientious student, and was fully conversant with the subject. His statements and historical data can be verified by the records.

The article follows:

"In 1875 during the period our government was under the articles of confederation, the rectangular system of lands surveys was adopted for the Northwest Territory and, at the suggestion of Thomas Jefferson, one section in each township was set apart for public schools. This system of surveys is still maintained, but, in 1850, the government adopted the plan of giving two sections of the public domain, 16 and 36, in each township, to the public schools of the state as admitted.

"Accordingly, as the Indian reservations composing that portion of the state of Oklahoma, which was formerly known as Oklahoma Territory, were ceded and relinquished by the tribes to the government and by it opened to homestead settlement, reservations of Sections 16 and 36 in each township, where said sections were not otherwise appropriated, were made for the benefit of the public schools, both by act of Congress providing for the opening thereof and by the President's proclamation opening the same to settlement.

"From time to time it was found that prior to the opening of these lands, sections 16 and 36 or parts thereof, were otherwise appropriated, as in cases wherein Indian allotments had been se-

lected or a number of such sections were included in unceded or unrelinquished Indian reservations. To prevent this loss to the public schools, Congress, in Section 18 of the Organic Act of Oklahoma Territory, approved May 2, 1890, providing for the selection of other lands in equal amounts in lieu thereof in cases where sections 16 and 36 had been otherwise appropriated.

“The lands so acquired are known as ‘common school indemnity lands,’ sections 16 and 36, and said indemnity lands constitute the public school lands of the state of Oklahoma and the funds derived from their sale, together with \$5,000,000 donated by the government at statehood, in lieu of sections 16 and 36 in the Indian Territory side of the state, constitute mainly the permanent common school fund of Oklahoma.

“In the early part of 1893, and after three great openings of land to homestead settlement, with reservations for public schools only, had been made, it was found by a few public spirited citizens, notably Hon. Henry E. Asp and Dr. David R. Boyd, the latter then president of the University of Oklahoma, that soon the public domain would be exhausted and that we would have no lands reserved for donation to the future state for higher education and public buildings. A bill providing for the opening of the Cherokee Outlet was then pending before Congress. Messrs. Asp and Boyd appeared in Washington and endeavored to secure an amendment to the bill reserving section 13 in each township for higher educational purposes and section 33 in each township for public building purposes; but owing to stern opposition, failed to secure its adoption by the committee on territories.

“The late Sen. Orville H. Platt of Connecticut, then chairman of the committee, was in sympathy with the purposes of these men and, sharing their disappointments, suggested and conceived another plan whereby the result might be wrought and, with his own hands, drafted an amendment to the bill which authorized the President of the United States, after making in his proclamation reservations of sections 16 and 36 for public schools, to make such other reservations of lands for public purposes as he might deem wise and advisable. This act was approved by President Harrison on the last day of his term, March 3, 1893. (27 U. S. Statutes at L. 642.)

“Upon the inauguration of President Cleveland, Mr. Asp and Dr. Boyd interceded with him along the lines of securing additional reservations of land for higher educational and public building purposes. The result was that when, on August 19, 1893, President Cleveland issued his proclamation opening the 6,000,000-acre Strip to homestead settlement, reserving section 13 in each township, where not otherwise reserved and disposed of, for university, agricultural college and normal school purposes; also, section 33 in each township where not otherwise reserved, for public buildings. These two reservations were made subject to the approval of Congress and were approved by that body, May 4, 1894. (28 U. S. Stat. at L. 71.)

“The right of the state of Oklahoma to select from the unappropriated public domain sections 13 and 33 indemnity lands did not exist at the opening of the Cherokee Outlet, but by act of Congress approved March 2, 1895, (U. S. Stat., at L. 899) such right was granted so that such selections were subsequently made in the Kiowa, Comanche and Wichita reservations before these were opened to settlement in 1901. So we have lands known as section 13, “state educational institutions indemnity,” and section 33, “public building indemnity,” in addition to the “common school indemnity,” the latter having been selected from portions of all Oklahoma reservations opened since 1893.

“Following the decision of the United States Supreme Court confirming Greer County as a part of Oklahoma, on January 18, 1897, Congress enacted a law opening said county and reserving, in addition to sections 16 and 36 for public schools, sections 13 and 33 in each township “for the such purposes as the legislature of the future state of Oklahoma may prescribe” and provided that “whenever any of the lands reserved for school or other purposes under this act, or under the laws of Congress, relating to Oklahoma, shall be found to have been occupied by actual settlers or for townsite purposes, or homesteaded prior to March 16, 1896, an equal quantity of indemnity lands may be selected as provided by law.” These selections were made before the lands of that country were opened to settlement, thus giving the state what are known as the “Greer County 13 Indemnity” and “Greer County 33 Indemnity Lands.”

“By act of the legislature of Oklahoma, approved March 10, 1908, the Greer County section 13 indemnity lands were made a part of the state educational institutions fund, along with the old Cherokee Outlet section 13 and its indemnity. Under chapter 112, Session Laws of Oklahoma, 1911, Greer County 13 and its indemnity were created a “union graded or consolidate school district fund,” under the management and control of the state board of education.

“September 4, 1841, Congress enacted a law donating to the states then admitted and to those thereafter admitted, each 500,000, acres within their respective limits, for internal improvements. On September 28, 1850, (Rev. Stat. U. S., 2479) another law passed Congress, granting to certain states thereafter to be admitted all the swamp and overflowed lands within their respective boundaries, to be sold by the states receiving them and thus create a fund for leveeing, ditching and draining such lands.

“On the 16th June, 1906, the President of the United States approved the act of Congress admitting Oklahoma into the sisterhood of states. In section 12 thereof, the application of said internal improvement and swamp land grants was repealed as to Oklahoma and the new state was granted, in lieu thereof, 1,050,000 acres of the unsettled public lands of the state for the use and benefit of the educational institutions thereof as follows:

University	250,000	acres
University Preparatory School	150,000	”
A. & M. College	250,000	”
Colored Agricultural and Normal University	100,000	”
Normal Schools	300,000	”

“Under section 3, article 2, chapter 28, Session Laws of Oklahoma, 1909, these lands were designated as “New College Lands,” and are so carried on the records of the state land office.”

To make clear and more complete the records of the lands that were reserved for public schools, higher educational institutions and for state buildings, as well as lands reserved for eleemosynary and penal purposes, we will copy an excerpt from a statement made by Judge Thomas H. Doyle before the Committee on Terri-

tories in Washington, D. C., January 26 and 27, 1904. In the matter of admitting the Territory of Oklahoma in to the Union, Judge Doyle was the leading advocate of single statehood and delivered a lengthy address favoring uniting the Indian territory country with the Territory of Oklahoma and making a single state, rather than the admission of Oklahoma Territory without the territory of the Five Tribes. This statement before the Committee is published in the March, June, and September numbers of the *Chronicles*, Vol. 5, 1927. In this exhaustive statement he gives consideration to the public lands that had been reserved from homestead entry for the endowment of the public schools and public institutions. He explains the so called "Indemnity Lands" that had been added to the school and public building land of the state. It will be found on pages 139 and 140, *Chronicles of Oklahoma*, June 1927.

It follows: "Judge DOYLE: 'I will read from page 24 of the report of the Governor of Oklahoma for the year 1900:'

'By authority of an act of the third legislative assembly the school land board of the preceding administration made a contract with the Hon. D. A. Harvey, as Territorial agent, for the selection of indemnity lands for losses from fractional sections, reservations, and other causes. Under this contract 101,188.68 acres were selected in the Kickapoo Reservation and 21,840 acres were selected in a body in Woodward County, northeast of Camp Supply, for which services the agent received the sum of ten cents per acre, the cost to the Territory being \$12,302 fees to the agent, in addition to \$1,568 fees to the registrars and receivers of the land offices, which the Territory has been compelled to pay upon these lands during the past year under departmental decision of April 19, 1898 (26 L. D. 536).

'The indemnity lands in the Kickapoo country were selected in lieu of lands in the Osage Reservation, and those in Woodward County were taken in exchange for lands in the Ponca and Otoe Reservation, to which the Territory waived its right.

'During the present administration indemnity lands have been selected as follows:

	Acres
Greer County, Sections 13 and 33	21,416.56
Greer County, common schools	20,713.00
Common school, Custer and Dewey Counties	9,297.28
Total	41,426.84

'The total expense in making these selections, preparing records, etc., in addition to the regular fees of the United States land office, has been \$223.85.

'There are still due the Territory about 12,000 acres of indemnity lands, which will be selected in the near future.'

Mr. Doyle continues: "Mr. Harvey, the gentleman referred to above, was the delegate from Oklahoma who preceded Mr. Flynn. He has been here frequently.

" 'Now, in Mr. McGuire's bill the re-granting clause reads as follows:

'Sec. 7. That upon the admission of said State into the Union sections numbered sixteen and thirty-six in every township of said proposed State, and where such sections, or any part thereof, have been sold or otherwise disposed of by or under virtue of any act of Congress, then lands equivalent thereto are hereby granted to said State for the support of common schools, and such indemnity land shall be selected in such manner as the Legislature of the State may provide, with the approval of the Secretary of the Interior. * * *'

"Every other enabling act that has been proposed and submitted to this Congress provides that sections sixteen and thirty-six heretofore granted, and indemnity lands heretofore taken in lieu thereof, shall be re-granted. There will never be any public domain in the Ponca and Otoe country. All the treaties provided for the appointment of these when they are allotted in their entirety—not merely 160 acres each and the remainder to be thrown into the public domain—and for that very reason these indemnity lands have been selected.

"These people have been tenants of Oklahoma Territory since 1895; but Mr. McGuire's bill absolutely fails in every respect to

re-grant those lands to the State proposed to be created, and under the decisions of our courts construing the question as to the necessity of a re-grant to the new State created, they all hold that the enabling act must re-grant the land."

The Enabling Act, under the provisions of which Oklahoma formed a constitution and was admitted in to the Union, re-granted to the State of Oklahoma all lands that had been before granted to the Territory of Oklahoma, including indemnity land.

The schools of the Territory of Oklahoma derived considerable revenue from the proceeds of the leasing of the public lands. The school lands that had been reserved when the various reservations were opened to homestead entry, were leased for farming and grazing purposes, 11 or 12 years prior to statehood. By an act of Congress the Governor of the Territory was authorized to lease this land under rules prescribed by the Secretary of the Interior.

In the month of December, 1893, Gov. William C. Renfrow sent out the following circular letter:

"Dear Sir:— By act of Congress the school lands of Oklahoma territory are to be leased by the governor under rules prescribed by the secretary of the interior. As soon as instructions are received from him publications will be made for bids on said lands. Sealed bids must be sent in upon forms of applications prepared by this office before the day set for opening said bid. When the bids are opened awards will be made to the highest bidder. One person is entitled to lease only one quarter section. The minimum price will be \$25 per quarter per year. Payment may be made in cash or by notes with approved security. No provision has as yet been made for releasing school lands but no doubt some just and equitable rule will be made, protecting both the settler and the school fund. No priority will be gained on account of settling on school land in the Cherokee strip. Sale of school land will not be made until Oklahoma becomes a state. All business connected with leasing the school lands will be transacted by the governor at Guthrie.

Very Respectfully,
WILLIAM C. RENFROW
Governor."

In order to bring this history of the state school lands and school funds (as well as the lands set apart for other state institutions) down to the present the *Chronicles* has secured an authentic statement as to the status of the school endowment fund administered by the State School Land department. It follows:

“The present records of the State School Land Department disclose that its original permanent fund at Statehood, consisted of a total grant of 3,177,480 acres of land from all sources, which land was valued by the United States Government, at \$11,216,504.00, and an additional grant of cash was appropriated by the Congress of the United States in Section 7 of the Enabling Act, in the sum of \$5,000,000.00, for the use and benefit of the common schools of the State in lieu of any lands in the Indian Territory; this made the total permanent fund of the State School Land Department at Statehood, \$16,216,504.

“At Statehood, November 16, 1907, the Commissioners of the Land Office, took over from the Territorial Board for the leasing of school land, the supervision of all granted lands, and, \$320,373.31 in cash, representing undistributed rental collections, and \$218,286.29 in notes, representing Agricultural rentals accruing prior to Statehood. None of the higher educational institutions funds had any cash available for investment during the first two years following Statehood, as practically all their receipts consisted of income from the granted lands, fees, etc., which were available only for the support, and maintenance of the institutions.

“During the period from Statehood, to the latter part of 1915, a portion of the receipts from Agricultural rentals and fees were used to pay certain expenses of the department.

“The sale of granted lands began in December, 1909, and was continued until the early part of 1917. Only a few tracts have been sold since 1917; none in the last four years. The proceeds from the sale of school lands, being permanent funds, are available for investment.

“First-mortgage farm loans from the higher educational institutions funds, were authorized by the Oklahoma Legislature in 1915.

“Under rules and regulations of the Legislature, the permanent funds are loaned on first mortgages and up to the present time, the records disclose that 43,324 loans have been made since the first loaning of this money was authorized.

“All Agricultural-lease rentals, and all interest from whatsoever source, is distributed monthly to the schools on a ratio of the earning capacity of the permanent fund allocated to such schools. All monies received from Oil and Gas Royalties, Rentals, and Bonuses, go to the permanent funds and are not distributed as revenue to the schools.

“From the original grant of 3,177,480 acres, there remains, as of this time, unsold, 882,661 acres. In addition thereto, the state has acquired through foreclosure procedure, 108,637 acres. Taken on the basis of an appraisal made in 1931, and 1932, the unsold granted lands are valued at \$8,686,992 and the foreclosed lands are valued at \$1,892,506 making a total of \$10,579,499 in value of land yet retained by the State and unsold.

“The earnings from these permanent school funds from November 16, 1907, up to June 30, 1935, disclose that \$43,617,700.06 have been distributed to the schools of this State. Of this portion, \$32,902,735.92 was distributed to the common schools, \$7,160,707.18 to the State Educational institutions, \$914,215.30 to the State University from the New College Lands, \$499,395.58 to the University Preparatory schools from the New College Lands, \$819,282.40 to the Agricultural and Mechanical College, from New College Lands, \$1,004,197.87 to the Normal Schools from New College Lands, and \$317,165.81 to the Colored Agricultural and Normal University from the New College Lands.

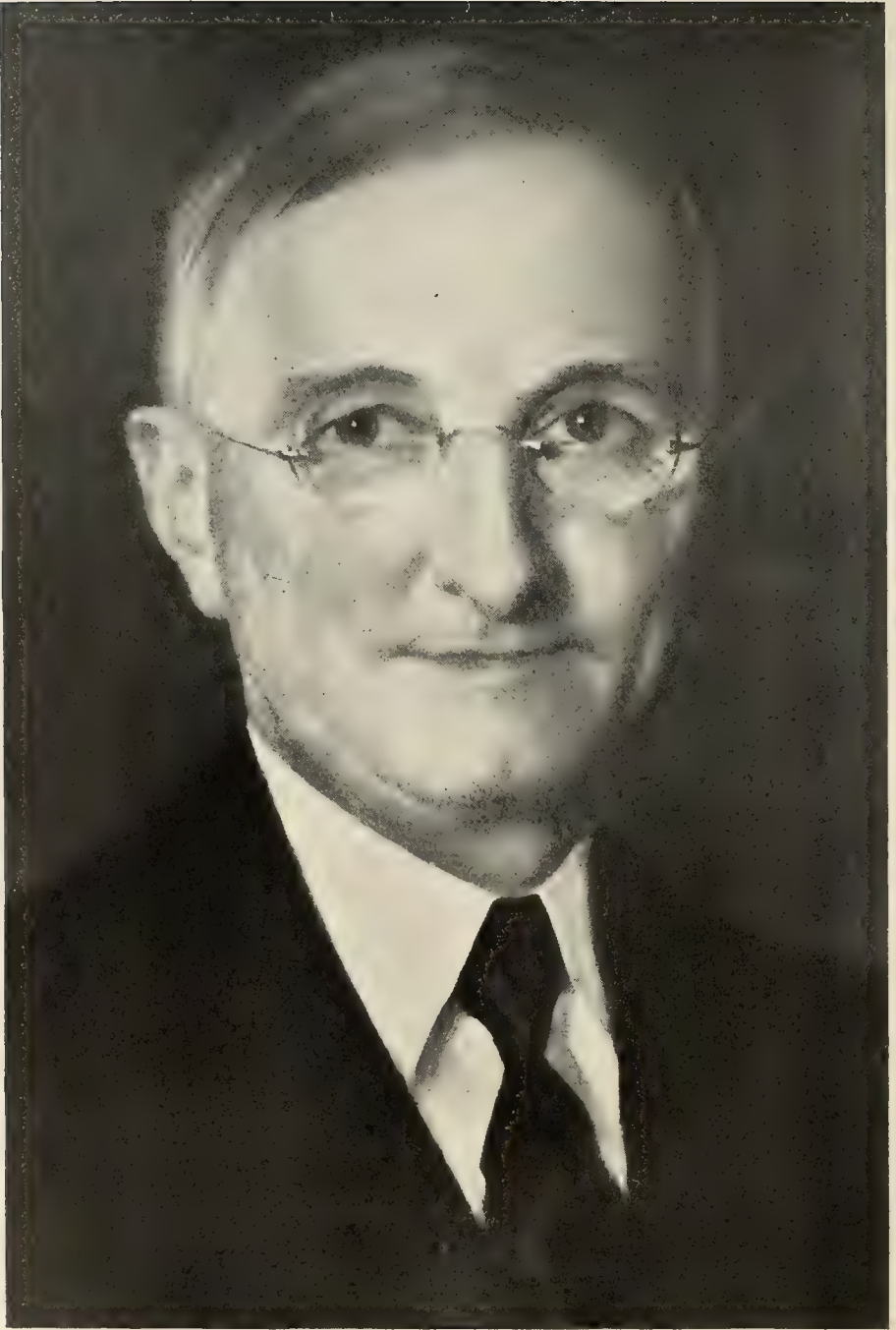
“From Statehood up to June 30, 1935, there was distributed from the proceeds of Section 33, for Public Building purposes of this State, \$8,398,911.27 and for the construction of Union Graded and Consolidated Schools, \$524,822.75; this fund was derived from the proceeds of Section 33 in old Greer County. (It would be well to state here that remaining assets in the Public Building fund, including lands, bonds and money on hand, are \$2,120,123.) During this same period there has been paid into the general fund of the state, for operating expenses, the sum of \$891,419.52 which fund constitutes the fees collected by the School

Land department and paid into the general funds of the state as provided by statute and not from the permanent school fund.

“As of November 23, 1935, the Assets of the State School Land Department amounted to \$55,736,166.55. Inasmuch as the combined assets at Statehood were \$16,755,163.60, it may be readily seen that there has been a growth in the assets of this department in the amount of \$38,981,002.95. Up to June 30, 1935, this department distributed in earnings for all purposes, \$53,432,853.60. This, added to the present assets of \$55,736,166.55, shows an accountability from the capital assets at Statehood to \$109,169,020.15.

December 10, 1935.

Gilbert Fraser, Department Auditor.
Commissioners of the Land Office.”



JUDGE C. B. AMES

JUDGE CHARLES BISMARK AMES

By D. A. Richardson

Judge Charles Bismark Ames died at his summer home near Meredith, New Hampshire, on July 21, 1935. Although he was born a Mississippian and died a resident of New York, during nearly thirty years of his early manhood and mature age he was an honored citizen of Oklahoma. The evidences of his useful life here are yet around and about us, his last resting place is with us, and we claim him as our own.

From his arrival in Oklahoma City in 1899 until he established his residence in New York in 1928, Judge Ames was active and outstanding not only in the legal profession and the business world but also in whatever tended to the educational, cultural, religious and material advancement of his city and state. He was a learned and able lawyer and the legal guide of many large business concerns, but he never permitted his interests and activities to be bounded by his profession. He was more than a great lawyer. He was an able executive, a cultured gentleman, and a civic-minded and forward-looking citizen.

He was born of a distinguished family, in Macon, Mississippi, on August 1, 1870. His was a compound of the best blood of New England and the old South. His father, Charles Bingle Ames, was a great nephew of Fisher Ames of Massachusetts, famous orator and statesman of the Revolutionary period; and was also a nephew of Bishop Ames of the Methodist Episcopal Church. His mother was a sister of General James Longstreet, famous as an able and daring Lieutenant General in the Confederate Army, and she was also a niece of August B. Longstreet, once president of the University of Mississippi.

Judge Ames completed his academic education at Emory and Henry College, graduating from that institution in 1890 with the degree of B. S., and he received his legal education in the University of Mississippi, from which he graduated in 1892 with the degree of LL. B. He then entered the practice of law in Mississippi and carried it on there with success for nearly five years.

During that time he married Miss Pearl Allen, a cultured and talented lady whose grace and charm made his home a happy and delightful one during the remainder of his life, and who now survives him.

Considering that the rapidity with which the West was developing would give him there greater opportunities in his profession than were possible in the older agricultural states, in 1897 he and his wife moved to Kansas City, Missouri, where he practiced law for two years; and in 1899 they moved to Oklahoma City in the then Oklahoma Territory, and there made their home during all but the last few years of his remaining life. He soon became eminent among the leaders of the Oklahoma bar, and he easily maintained that eminence during the remainder of his professional career. He was successively a member of the law firms of Howard & Ames, Flynn & Ames, and Ames, Chambers, Lowe & Richardson. His membership in any law firm assured it a large volume of important business. He assisted in the organization of many of the business institutions which are rendering valuable services in Oklahoma today, and he was the legal counsellor of many of the largest organizations, both foreign and domestic, which did business in this state.

Judge Ames believed it the duty of every citizen to interest himself and take a part in his government and therefore in politics; and so, while he never became a candidate for public office, his voice was heard and his influence was exerted in every campaign in behalf of the persons and policies deemed by him most likely to promote the general good. He knew when he arrived in Oklahoma City that in a few years Oklahoma and Indian Territories would be admitted into the Union as a state or states; and soon the question whether they should be admitted as separate states or as a single state became a burning issue. Believing that it would require the combined territory, population and resources of both to form a state comparable in size and taxable wealth with the other states in this section of the Union and capable of performing its functions without overburdening its citizens, Judge Ames early espoused the cause of single statehood, and he was active and ardent in his advocacy of it. In 1902, three years after he arrived in the Territory, he was made

chairman of the resolutions committee of the Democratic Territorial Convention, held at Enid, and he wrote the platform which embodied a plank favoring single statehood. In 1904, though he was not a delegate to the Democratic National Convention in St. Louis, he was nevertheless influential in procuring a similar plank to be inserted in the national platform. In the next year, a Territorial Joint Statehood Convention, composed of delegates from both Oklahoma Territory and Indian Territory, was held in Claremore. It adopted a resolution prepared by Judge Ames in favor of single statehood, and transmitted the same to Senator Beveridge, then chairman of the Committee on Territories in the United States Senate, who caused it to be incorporated in the Congressional Record. Later, another Territorial Joint Statehood Convention, attended by more than a thousand people, was held in Oklahoma City, and again Judge Ames prepared and introduced a resolution favoring single statehood. The Convention adopted it enthusiastically, and sent him to Washington as one of the delegates to present it and urge the admission of the two territories as one state. Ben Tillman of South Carolina, then one of the ablest and most influential democrats in the United States Senate, had strongly favored the admission of the two territories as separate states, and Judge Ames felt that single statehood would be impossible of attainment over Senator Tillman's opposition. He therefore procured an interview with the Senator and argued the question out with him, urging that each of the territories supplemented the other, that neither was large enough in territory or population or wealthy enough adequately to perform alone the functions of a state, that the majority of the people in each territory favored single statehood, and finally, that the National Democratic Convention in St. Louis had committed the party to that plan. Judge Ames' other arguments were cogent, but it was probably the reference to the action of the National Democratic Convention which carried the day. Senator Tillman was finally induced to give the single statehood plan his support and Congress passed the Oklahoma Enabling Act.

During all that time and for several years thereafter Judge Ames was actively engaged in carrying on a large and lucrative law practice. In 1911, however, the Oklahoma Legislature, for the purpose of assisting the Supreme Court of Oklahoma which

was behind in its work, created to endure for two years a Supreme Court Commission of six members to be appointed by the Supreme Court, one from each of the five Supreme Court judicial districts of the State and one from the State at large. The Commission was to sit in two divisions, each of which was to hear and determine appeals and write opinions therein which were to become effective upon their adoption by the Supreme Court. The Court appointed Judges Ames as the member of the Commission from the State at large, and made him Presiding Judge of Division No. 1. Although his acceptance of the appointment would require that he forego a practice which brought him fees running into tens of thousands of dollars a year in lieu of which he would receive a salary of only \$3600 per annum, Judge Ames accepted the appointment and held the office for two years. When a friend remonstrated against his forsaking his exceptionally profitable practice and accepting a judicial appointment at a salary comparatively insignificant, he said that he felt that he owed that service to the State and to his profession, and that, because he owed it and was able to render it, he had made up his mind to do so. His opinions are notable for their sound legal learning and the orderliness of their arrangement, and are models of brevity, clearness and force.

Retiring from the Commission in 1913, he returned to the practice of law in the firm of Ames, Chambers, Lowe & Richardson. When we entered the World War he was active in the work of the Council of Defense, and when the Food Administration was established he was appointed Federal Food Administrator in Oklahoma. Thereupon he took an office in the State Capitol Building and there spent a large portion of each day and sometimes the entire day and a part of the night, at a salary of \$1 a year. He was also active in all the Liberty Loan drives.

Judge Ames had been associated with A. Mitchell Palmer in some litigation in Oklahoma, and the latter conceived such an opinion of him that, when Palmer was appointed Attorney General of the United States in 1919, he solicited Judge Ames to accept the position of The Assistant to the Attorney General, which Judge Ames at first declined. General Palmer was insistent, however, and by continual urging he finally induced Judge Ames

to accept the appointment, which he held for approximately a year and a half. During that time he argued many cases in the Supreme Court of the United States, notably the anti-trust case of the United States against the United States Steel Company, which he lost by a divided court; and in the United States District Court in Indiana he tried the case against the United Mine Workers of America and procured an injunction against their calling and maintaining a nation-wide strike, thereby rendering a great service both to the nation and to the United Mine Workers themselves.

He returned to Oklahoma City and resumed his law practice in 1920. His firm had been attorneys for The Texas Company in Oklahoma for a number of years, and Judge Ames had come into intimate contact with the president of that company, who esteemed his executive and legal abilities so highly that he tendered him the position of General Counsel for the company, which Judge Ames accepted and which took him to New York. He continued as General Counsel until November, 1925, when he resigned and returned to Oklahoma City. There he resumed his practice of law and his interest in civic affairs.

The tracks of the Rock Island Railway Company and of the St. Louis & San Francisco Railroad Company ran through the business section of Oklahoma City, interfered with and congested traffic on several of the principal streets, rendered an important portion of the city an eye-sore and retarded its growth and development. The city had been endeavoring for some years to induce the railway companies to remove their tracks and stations from their then locations and to build their stations and route their tracks south of the business section, but without success. The city had been unwise enough to take the position that it could compel the railway companies to, and that they should, abandon their rights-of-way and stations and acquire and construct new ones without being compensated for the property abandoned. When Judge Ames returned in 1927, negotiations were at a deadlock. The City demanded the removal of the tracks as nuisances and the railway companies refused to remove them.

Judge Ames had long known that the relocation of the railway tracks was necessary for the city's growth and the convenience of its inhabitants; but he also knew that the railway companies could not be compelled uncompensated to give up their rights-of-way lawfully acquired and acquire new ones. He therefore arranged to bring together in a succession of conferences representatives of the railway companies and the officers and representative citizens of the city, in which conferences he was the composing and guiding spirit. The result was an agreement whereby the city engaged to purchase the rights-of-way at a reasonable agreed price, and the railways to relocate their tracks and build their stations south of the business section of the city. That agreement was carried out; the city speedily voted the necessary bonds, the rights-of-way were purchased, and the railway companies rerouted their tracks and erected a new modern and commodious union station. Now the old Rock Island and Frisco rights-of-way are about to become a civic center on which are to be constructed an auditorium, a city hall and a new county court house, all modern and beautiful in design, and the remainder is to be used as a park. By the generation that knew Judge Ames and the constructive part which he played in making that civic center possible those buildings will be visioned as monuments to him. In 1927, because of the many services which he had rendered to Oklahoma City, culminating in the removal of the railways' tracks, Judge Ames was formally named Oklahoma City's Most Useful Citizen.

In 1928 Judge Ames was induced to return to The Texas Company, and he was a member of the board of directors and of the executive committee and an active vice-president of that company until 1932, when he was elected president of The American Petroleum Institute. He served in the latter capacity until May, 1933, when he was elected chairman of the board of The Texas Company, in which position he continued until his death.

He had and deserved many honors. He was a delegate to the Universal Congress of Lawyers and Jurists in St. Louis in 1904. He was a delegate from the Methodist Episcopal Church South to the Ecumenical Methodist Conference in Toronto in 1911 and again in London in 1921. He was president of The Oklahoma

State Bar Association in 1916, and a delegate to the Democratic National Convention in 1920. In 1924 Emory and Henry College conferred upon him the honorary degree of LL.D.

He is survived by his wife, and by his daughter, Mrs. J. L. Cleveland, Jr., of New York City, and by four sons, Ben Allen Ames and Fisher Ames of Oklahoma City, Longstreet Ames of Richmond, Virginia, and Charles Ames of Port Arthur, Texas.

Judge Ames loved his State and Nation with patriotic fervor and he earnestly strove for their advancement and well being. In politics he was a Democrat of the Jefferson school. He believed in the Constitution of the United States, and he believed that only by maintaining its limitations and guaranties could democracy be prevented from degenerating into mobocracy and liberty be preserved. He considered that the only legitimate function of government is to govern, — to preserve peace and order, prevent fraud, dishonesty and oppression, and to protect the citizens in their lives, liberty and property — and that all private business should be carried on solely by the citizens and not by the government. He believed that every department of government should respect the Constitution, and that, if new powers or limitations are found necessary, they should be provided for in an orderly manner by constitutional amendment. He knew that limitations upon the powers of government and their observance are indispensable to the liberty of the citizen; and, when he saw during the last few years what he considered to be willful violations of the limitations contained in our Constitution committed by the very officers of government who were sworn to observe, protect and defend it — the assumption by the United States of powers and duties reserved solely to the states, the curtailment of personal liberty, the oppressive interference with private business, and the extortion under the guise of taxation of money from one citizen for the avowed purpose of giving it to another — he was saddened and was disturbed by misgivings lest we were fatally wounding the Constitution and perpetuating our distress. Referring to Macaulay's statement in 1857 that our Constitution was "all sail and no anchor," he said that that statement was not true when made, but that by amendments, misconstructions and tolerated violations of the Constitution we were rapidly tending to make it so.

Judge Ames was quiet and unassuming. He detested pretense. He loved his home, his family and his friends, and they loved him. He was never happier than when surrounded by the members of his family or by a group of his friends. He was an entertaining conversationalist and a genial and gracious host. His charm was in his intellectuality, his good humor, his plainness of manner and his frankness and friendliness. He made no pretense to eloquence, but he was always logical and forceful. He thought straight and spoke clearly, and he never jumped at conclusions. When he essayed to speak, he knew what he was talking about and spoke as though he did. He was kindly and tolerant, but when the occasion required he had the manly capacity of feeling and vigorously expressing a righteous indignation. He liked clean sports—baseball, football and golf, and was one of the charter members and a past president of Oklahoma City Golf & Country Club.

Even after Judge Ames took up his residence in New York in 1928 he maintained his interest in the welfare of Oklahoma and Oklahoma City. He kept informed of the happenings here, and readily and willingly assisted in our civic enterprises both with his advice and with his purse. In heart and soul he continued an Oklahoman, and so Oklahoma, with just pride in his character and achievements, claims and mourns him as her son.



Standing left to right: Miss Brown, Miss Baldwin, Samuel Worcester Robertson; Seated: Miss Nancy Thompson, the Rev. William Schenck Robertson, Mrs. William Schenck Robertson (Ann Eliza Worcester Robertson), and Miss Augusta Robertson, (Mrs. N. B. Moore, Haskell, Oklahoma). From Photograph taken at Tullahassee.

AUGUSTA ROBERTSON MOORE,

A Sketch of Her Life and Times

by

Carolyn Thomas Foreman.

An auspicious day dawned for the Indian Territory when the Rev. Samuel Austin Worcester, with his family, accompanied their friends, the Cherokee Indians to their new home in the West. There was never any faltering in his purpose to bring a knowledge of the Scriptures and a secular education to the Indians, although he and his wife endured every sort of hardship and illness in so doing. This noble work did not end with their generation but was carried on by their daughter Ann Eliza and her husband when they took up their life-work at Tullahassee Mission. Miss Worcester and the Rev. William Schenck Robertson were married April 16, 1850, at Park Hill and departed for their new home in the Creek Nation.

The Creek Indians were at first utterly opposed to all missionaries and schools but after they saw the workings of Kowetah Mission the chiefs agreed with the Presbyterian Board of Foreign Missions to permit erection of a manual labor school. The Indians promised to pay one-fifth while the Board would bear the remainder of the cost. The Rev. Robert M. Loughridge selected the site for Tullahassee Mission and bought 70 acres of cleared land from Thomas Marshall. On that place was constructed a brick building of three stories, which was opened March 1, 1850, and accommodated eighty pupils.

Mr. Loughridge appears to have managed the school in a successful manner and he was soon joined by Mr. Robertson and his bride who were both on the teaching staff. Robertson was graduated from Union College, Schenectady, New York, in 1843. He then took two-thirds of a medical course but decided that teaching was the profession to which he would devote his life. After several years of teaching in academies in New York state he offered his services to the Presbyterian Board of Foreign Missions and was finally assigned to the new mission among the Creeks.

There on October 9, 1851, was born to the young people a baby girl who was given the name of Ann Augusta. Two years

later a second daughter was added to the family and she was called Mary Alice. Her name was later reversed and Alice M. Robertson became one of the famous women of Indian Territory and Oklahoma. Ann Augusta soon dropped her first name; she was called "Gusta" by her immediate family. She bore much of the burden of rearing her younger brothers and sisters as her parents were constantly occupied with the affairs of the mission, the translation of hymns, text books and the Testaments. Mr. and Mrs. Robertson, being college graduates, determined that their children should not be deprived of a sound education even if they were reared in the wilderness, and their daughter commenced her studies at an early age.

Tulahassee was an austere appearing place as there were no porches on the building; but the rooms were well lighted by numerous windows, the grounds were shaded by majestic cedar, oak, and hickory trees while the path to the front door was marked by rows of rose bushes.¹ As a little girl Augusta played with a doll having a stuffed cloth body and a china head until she was given a wooden doll, exquisitely dressed. The children also played with green walnuts that fell from a tree planted by their father in front of the mission. The nuts became cattle, and in childish games represented the great droves of Texas cattle that were driven past the school to be marketed in St. Louis.² The little girl did not learn to swim but she recalled shooting a pistol on one occasion and an Indian, standing near, exclaimed "Koot! Iste ele-che tayas," which means "Why, she could kill a man."

There was an orchard of apple, peach and quince trees at Tulahassee and wild flowers covered the prairies in colorful patches. "Gusta" and her playmates picked spring-beauties, many species of violets, innocence, anemones, red bud, black-eyed Susans and butterfly weed; in the spring they haunted the surrounding dogwood thickets which looked like immense canopies of white lace spread in the woods.

The children were accustomed to watch the rabbits, deer, squirrels, opossums, and racoons in the neighboring woods. Wild cats and cougars were sometimes seen, wolves crept close to the

¹*Muskogee Times-Democrat*, August 16, 1924, "Old Timer Reviews Days of Wm. S. Robertson and His Work at Old Mission" by J. L. DeGroot, p. 1.

²Authority of Samuel Worcester Robertson, Santa Barbara, California.

school and howled in an alarming way. Great flocks of prairie chickens were a common sight but the time was gone when buffaloes were to be seen. A neighbor, near the mission, had a buffalo he had tamed that furnished interest and amusement for the children.

When visiting relatives at Park Hill or Tahlequah the long journey was made in a wagon. The route led north of the Arkansas River and the Verdigris was forded near the present town of Okay, and the Grand River at Fort Gibson. Sometimes they were compelled to ferry the Verdigris near the Arkansas River and also the Grand in order to reach Fort Gibson. Drove of cattle in the immense cane brakes along the Arkansas made an impression on the alert minds of the Robertson children.³

At the time of the Civil War the mission at Tullahassee was abandoned and the missionary families fled to the North. Mr. and Mrs. Robertson with their four children traveled in a covered wagon, driven by a part-Indian. The New York missionary had been "... pronounced a 'Yankee Abolitionist' and given twenty-four hours to quit the Creek nation. We lingered a short time at the Cherokee mission [at Park Hill] and then began a hard journey through byways of the Ozarks. . . ."⁴

The refugees were three weeks on the way after leaving Park Hill where they had deposited most of their belongings with Mrs. Robertson's sister, Mrs. Abijah Hicks. Mr. Robertson narrowly escaped death in one house where they spent the night in the mountains of Missouri; their ignorant host professed to believe the minister a spy. A safe-conduct was secured from Gen. Sterling Price, whose camp was only a mile away, and he assured him "the Confederacy does not make war upon preachers nor women nor children . . ."⁵

The Robertsons finally reached Rollo, Missouri where they were cheered by the sight of the Stars and Stripes floating over the town. Here they had their first sight of a railroad and the children boarded the cars with wide eyes, eager for the great experience of a journey into the world. The absence from the Indian Territory was not a time of leisure for the Robertsons as their

³From answers to a questionnaire sent by the author to Mrs. Moore in 1932.

⁴*Muskogee Daily Phoenix*, June 16, 1929, account by Alice M. Robertson.

⁵*Muskogee Times-Democrat*, July 18, 1925, "Old Timer" by J. L. DeGroot.

teaching was continued in several places.⁶ Mr. Robertson conducted a private school for young men in Mattoon, Illinois but it was disrupted when many of the youths volunteered for army service at the time of Gen. Morgan's raids into Ohio. Augusta attended a school that year under a Mr. McFarland and his wife.⁷ In Centralia she went for a year to a girl's school, conducted by her father.

The year 1866 was an eventful one for the youthful Augusta who was sent to Dayton, Ohio to attend Cooper Seminary. She remained there until 1870 when she was graduated. Latin was one of the subjects she studied and it seemed to have made more of an impression on her mind than it usually does on young people. Letters she received from home were treasured and in her later years she read them to the author with wise and witty comments. While she admired her mother highly and was exceedingly proud of her literary achievements, she frequently spoke of her father in a most devoted manner and recounted what a comfort his letters were to her during her years in college. She pointed out that while her mother and sister Alice wrote long letters, it was in the hastily penned notes from her father that she learned of events at home. She once remarked that he never wrote anything that was not full of interest. Miss Robertson's letters from home were postmarked (in writing) "Creek Agency" or Fort Gibson.

It is easy to understand why Mr. Robertson was lovingly called "The Teacher";⁸ "I wish I could paint an adequate

⁶"The war period was spent as follows: Winneconne, Wisconsin 1861-62; Mattoon, Illinois 1862-63; Centralia, Illinois 1863-64; Highland, Kansas 1864-66" (Life Sketch of the Reverend William S. Robertson written by his wife, Ann Worcester Robertson).

⁷In 1859 a Mr. McFarland started a Presbyterian seminary for young ladies in Mattoon. Mr. Robertson came here as a Southern refugee. At that time Mr. Farland had decided to enlarge his school to include boys and Mr. Robertson was engaged as their teacher. The two schools were in separate buildings in the center of the town. The upper part of the building in which Robertson taught was used as a girl's dormitory and the Robertson family lived in the back of the building. Mr. Robertson remained for two years and then went West as a missionary to the Indians. Although I was not old enough to go to school my brother Harvey attended Mr. Robertson's school and remembers all about it (Authority of Miss Anna Riddle, Mattoon, Illinois). "After the war the McFarlands moved to Arizona where Mr. McFarland died and it was *his* widow who was later so wonderful in Alaska—she was nurse, teacher, judge, matron, superintendent—Dr. Sheldon Jackson was responsible for getting her into the work" (Questionnaire, *ibid.*)

⁸Pilling, James Constantine, *Bibliography of the Muskogean Languages*, p. 68.

picture of the missionary . . . as he stood framed in the doorway . . . [at Tullahassee]. His hair was long and brown, with little sprays of gray in it. He was at least six feet tall and so thin as to be almost gaunt. He wore glasses with lenses so thick that it seemed to me they must be a burden to his nose. His face was sunburned. But behind the sunburn and the glasses was a face so sincere and genuine that I shall carry the image of it to my last day.”⁹

One year at college was devoted to teaching as a part of Miss Robertson's training and it proved useful after her return to Indian Territory. Her journey home from Ohio was made under the care of Captain Field,¹⁰ the newly appointed agent to the Creek Indians. From Cincinnati they traveled to Baxter Springs, Kansas, where they were obliged to spend the night. The town was the last station on the railroad and the young girl was kept awake all night by the swearing and noise of the rough characters who invariably hung about the end of the road. Captain Field had brought a small satchel containing \$30,000 in currency with him and he had Miss Robertson use it as a foot stool aboard the train. While they were eating their supper at Baxter Springs the officer kept a close watch on his money and immediately afterward he hunted up a banker and left the satchel with him until morning. They departed by stage and took dinner the next day at Adair. There were a number of people at the hotel table and when a critical guest referred to the pie crust as “sole leather” the waitress showed her resentment by throwing a heavy teacup at his head. “We then went to Fort Gibson and instead of leaving me there Captain Field took me to his home at Fern Mountain [near where the Creek Agency was located], and then took me to Tullahassee and I remember that Mother wasn't glad to see me because I came home on Sunday.”¹¹

Miss Robertson began teaching the girls at Tullahassee and continued until 1882. An occurrence that made a lasting im-

⁹*Muskogee Times-Democrat*, August 16, 1924, p. 1.

¹⁰Francis Almon Field, a native of Ohio, entered the army as a private. He served throughout the Civil War and was honorably discharged October 1, 1870 at his own request. He was brevetted captain July 2, 1863, for gallant and meritorious service at the battle of Gettysburg (*Historical Register . . . of the United States Army . . .* by Francis B. Heitman, Washington, 1903, Vol. I, p. 419).

¹¹Interview with Mrs. Moore, December 14, 1933.

pression on the memory of the young teacher was the advent of the grasshoppers in 1874. The insects settled in a solid mass on the picket fence at the mission; they covered the trunks of the trees; ate all of the peaches, leaving the bare stones hanging to the twigs perched on every blade of grass and the children were greatly amused to see all of the little brown heads sticking up. When the grasshoppers flew long streamers of iridescent cobwebs caught on their wings and rendered them beautiful in the sunshine.

The first paper published in the Creek Nation was *Our Monthly* issued from Tullahassee Mission. Volume I was written with pen and ink with one copy to an issue but in January, 1873, No. I of Vol. 2 appeared, in print, with Mr. Robertson as editor. Mrs. Robertson was the principal contributor and their son, Samuel Worcester Robertson chief printer. The Creek National Council having given a hand press to the school, Mr. Robertson and his daughter, Augusta studied the art of printing from a handbook, and taught Samuel who was just entering his teens. A supply of type came with the press but much of the old type from the Park Hill Mission Press was moved to Tullahassee after the Civil War and was thus utilized for more years in bringing civilization to the Indians.

Our Monthly was printed in Creek and English and in October, 1874 the National Council passed an act appropriating \$100 to pay for 1,000 copies of the paper to be distributed free to citizens of the Creek country. When the youthful printer fell behind in his type-setting "Sister Gusta" would come to his rescue, lending a helping hand after a hard day's teaching.¹²

John H. Craig, employed as farmer at the mission, fell in love with the blonde young teacher and they were married April 15, 1877. A daughter was born to them whom they named Alice Galloway. She lived only seven and a half months and her sad young parents took the little body to the mission burying ground at Park Hill. Mr. Craig soon fell a victim to tuberculosis and followed the baby to the grave.

Miss Nancy Thompson, one of the original workers at the mission, was born in Washington County, Virginia, March 20,

¹²Authority of Samuel Worcester Robertson.

1792. She became a member of Gideon Blackburn's church at Marysville, Tennessee, in 1806. She decided to become a missionary to the Cherokees and was assigned in 1826 to Haweis Mission, located about a mile north of Coosa River, near Rome, Georgia. In March, 1833 she was transferred to Willstown Mission near Fort Payne, Alabama. Three years later she was serving at Creek Path (now Guntersville, Alabama). In 1839 she removed with the Cherokee Indians when they were forced to leave their homes in the East and she continued her duties at Park Hill in the mission established by Dr. Worcester.¹³ In 1849 Miss Thompson went to the new Creek mission at Tullahassee. ". . . by her long experience in boarding schools among the Indians, her remarkably good judgment, and common-sense, [she] was of immense assistance in preparing for and afterwards in conducting the mission work."¹⁴

According to an associate at the school, Miss Thompson was not well educated and she occupied the position of stewardess at the school. She was fond of reading and was a subscriber to the *New York Observer*. This newspaper was divided into two parts, one secular and the other religious. Miss Nancy read the news portion through the week reserving the religious part for Sunday reading.¹⁵

A touching description of Miss Nancy is given in *Scenes in the Indian Country* by Augustus W. Loomis (Philadelphia, 1859, 86 ff) : "Soon after our mission was established among the Creeks, she joined it, and for more than thirty years has she been toiling, planning, and praying for the interests of these Missions. . .

"Day after day she worked in the kitchen or laundry, or school room, or in nursing the sick—anywhere, so that she might be use-

¹³*History of American Missions from their Commencement to the Present Time*, Worcester, 1840, p. 337; *Torchlights to the Cherokees* by Robert Sparks Walker, New York, 1931, p. 53.

¹⁴*History of the Mission Work Among the Creek Indians, 1832-88* by Rev. Robert M. Loughridge, published in the *Indian Record*. Written at Wealaka, I. T. Dec. 9, 1887. Typed copy in library of Grant Foreman.

¹⁵Mrs. Moore stated that Miss Thompson was born in North Carolina or Tennessee. The Rev. S. A. Worcester in a report from Park Hill to Pierce M. Butler, Cherokee agent, July 18, 1845, wrote: "Miss Nancy Thompson (another teacher) was born in Blount County, Tenn. and is 53 years old. She joined the mission as an assistant in 1826" (Office Indian Affairs, Cherokee File B 2599).

ful. Day after day for thirty years, she labored and fainted not . . . It was still the cause which lay nearest her heart . . . the missionaries were constantly consulting her, and freely and kindly was advice imparted. . .”

During the Civil War Miss Thompson stayed at Centralia, Illinois later joining Mr. and Mrs. Robertson at the Indian Institute at Highland, Kansas. She returned to Tullahassee in November, 1866 and resumed her work which she was able to continue until her ninety-first year.

Tullahassee was burned in 1880 but the brave and resourceful missionaries converted the laundry into a dining and living room while the work shops and wagon shed were fitted up for school and sleeping rooms at a trifling expense. Twenty boys were received in the school of whom fourteen were orphans. Health in the school was good that year except for two cases of pneumonia. Miss Thompson, who had been a power and a comfort in every emergency, died and her body was interred in the Mission Cemetery at Park Hill where she rests “between my father and the fence enclosing our kindred. . .”¹⁶

Six weeks later, from overwork and anxiety, Mr. Robertson died and the following spring his daughter, Mrs. Craig was appointed principal *pro tem*. Later she was made superintendent until the school was turned over to the Negroes.¹⁷ Mrs. Craig asked permission to open the school in October and continue it until the completion of the new building at Wealaka but the trustees decided against the project.¹⁸

On a vacation from Tullahassee Mrs. Craig went to Washington to visit her sister Alice who was employed as a clerk in the Indian Office. She was accompanied by Miss Samantha Brown, also a teacher at the mission. “One day we visited the White House where the famous old colored doorman met us. I told him it was our only chance to see the White House and asked him to show us all he could. He took us through the East room and on through the Red, the Green and the Blue parlors. When we came

¹⁶Authority of Mrs. Moore.

¹⁷*The Indian Territory* by H. F. & E. S. O’Beirne, St. Louis, 1892, pp. 358-59.

¹⁸Oklahoma Historical Society archives, No. 3684.

back into the corridor a line of men and women were climbing the stairs to the second floor and the porter told us to fall in line and see the president. President Grant was standing with one hand resting on the end of his cabinet table and every man and woman took his hand without a word being spoken. It struck my funny bone and when my turn came I looked up in his face and said 'From the Territory, General.' I shall never forget the smile that lit up his tired face as he answered, 'I am *very* happy to meet you Madam.' Wasn't it amusing? As if there was only one territory and *he* still a *general!*'"¹⁹

While a young lady, Miss Robertson visited her uncle, the Rev. Henry M. Robertson, pastor of a Presbyterian church in Columbus, Ohio. ". . . He took me through the capitol building and introduced me to his friend Governor [Rutherford B.] Hayes. What I remember best was the great number of captured Confederate flags that were returned later to the South—at least most of them."

On November 20, 1882 Mrs. Craig became the bride of Judge Napoleon Bonaparte Moore at Oswego, Kansas, in the home of the Rev. John Elliott who read the marriage vows. Moore was prominent in the affairs of the Creek Nation. He was born in Russell County, Alabama, June 8, 1828. His father was William Moore, his mother Lucy Chemulee of the Kussetah town. Judge Moore was educated in the public schools of the nation. He served as a lieutenant in Col. D. N. McIntosh's regiment in the Confederate army, fighting throughout the Civil War. He was revenue collector for his tribe; was elected to the House of Warriors for four years and to the House of Kings for the same number of years; he was judge of the supreme court of the Creek Nation.²⁰

Judge and Mrs. Moore made their home at his 200 acre "Mule Shoe Ranch," three and a half miles from the present town of Haskell. Their first home was a log house sixteen feet square but they soon added a story and half frame house to it and covered the logs with siding. Their Negro farmer occupied an adjoining log cabin.

¹⁹Questionnaire, *ibid.*

²⁰*Muskogee and Northeastern Oklahoma* by John D. Benedict, Chicago, 1922, p. 181; *Times-Democrat*, Okmulgee, Oklahoma, August 8, 1935, "The Moores of Mule Shoe and Half Moon Ranches" by Harriette Johnson Westbrook, p. 14, cols. 2-5.

After the loss of Tullahassee it soon became evident that it must be replaced by another school and Miss Alice M. Robertson went east to raise funds for the building among friends of the Indians. During her absence, Mrs. Moore filled her place in the Creek public school at Okmulgee where she stayed with her widowed mother.

Trustees, appointed by the two houses of the National Council to supervise the selection of a site and the building of the new mission, were N. B. Moore, chairman, Thomas J. Adams and Thomas Ward Perryman. They were also empowered to make a contract with the Woman's Executive Committee of Home Missions of the Presbyterian Church which had agreed to furnish \$10,000 while the Creek National Council appropriated \$2,500.²¹

This school was "for the especial benefit of the full bloods in the western part of the Muskogee Nation" and the committee expressed deep regret that the project had been delayed by "... the unhappy troubles among our countrymen which for many months rendered it impossible to proceed. . ." The committee finally agreed on a promising site on Salt Creek but when a well was dug, after considerable expense, the water was found unfit for use and the location was abandoned.²²

"This Council [1883] passed an Act directing your committee to place the school on the south side of the Deep Fork River. In compliance with this act a location was first chosen in New Yorker town, but the people of that town objecting to the site as too near their square [busk ground], a third and successful attempt to secure a satisfactory location was made, and the committee agreeing on that place known as the 'Jimmy Larney place,' near David Carr's ranch on the south side of the Deep Fork River about fifteen miles [almost due west] from the Muskokee Capital. . ."

It was desired to have the school "... as nearly as possible in the nature of a christian family . . [with] the boys and girls in separate buildings under the care of teachers who should exercise a parental care over them. . ."²³ Four buildings were erected:

²¹"Provision for this mission was made by the Creek Council in the session of Oct. 2, 1882. . . "(*Okmulgee Daily Times*, Friday, May 10, 1935, "Nuyaka Mission" by Harriette Johnson Westbrook, p. 3, cols. 1-5).

²²Oklahoma Historical Society archives, No. 36638.

²³*Ibid.*

“the first contains a chapel or assembly room and school rooms, the second the boy’s home and Superintendent’s apartment, the third and fourth are smaller cottages for the girls and the teachers in charge of them. Each of the last three buildings is complete in itself, with kitchen, dining room, bath room, &c.”²⁴ The act had provided for forty pupils at \$70.00 per annum to be cared for in the mission but through the liberality of the Presbyterian Board, buildings had been provided which would accommodate at least twice the original number specified by the council and this was a great blessing, in the opinion of the committee, owing to the “great and increasing desire of the Muskokee people to have their children in boarding school . . .”

The trustees asked for an additional appropriation for the building of a barn and other out buildings, for fences, the purchase of live stock and submitted an estimate for the expenses. This report contains a statement that the daughters of Mr. Robertson had requested that the school should be named for him but a letter is appended from Augusta Robertson Moore saying: “While we gratefully appreciate the respect shown the memory of our father by the Principal Chief calling the new school ‘Robertson Institute’ we should prefer that it receive its name from the language of the Muskokee people. Our father, during his lifetime, sought no distinction save that of entire and self-sacrificing devotion to the Muskokees.”²⁵ The school was accordingly named Nuyaka Mission.²⁶

On April 16, 1885 this school was opened with Mrs. Moore as principal and superintendent. During the first ten years she was employed by the Presbyterian Board her salary was paid by the Rev. T. K. Beecher of Elmira, New York.²⁷ The faculty of

²⁴*Ibid.*

²⁵*Ibid.*

²⁶In 1777 the people of several Okfuskee settlements moved from the Chat-tahoochee River to the banks of the Tallapoosa where they made a new home which they called Nuyaka. This word was an attempt to modify the name of New York (Smithsonian Institution, Bureau of American Ethnology, Bulletin 73, *Early History of the Creek Indians and Their Neighbors* by John R. Swanton, Washington, 1922, p. 248.

²⁷Thomas K. Beecher, a son of Dr. Lyman Beecher and brother of the Rev. Henry Ward Beecher, was born at Litchfield, Connecticut, February 10, 1824. He was graduated from Illinois College, Jacksonville, Illinois in 1843, and later became pastor of a Congregational church at Elmira. He was an eloquent preacher and a zealous philanthropist (*Universal Pronouncing Dictionary of Biography . . .* by Joseph Thomas, M. D., L. L. D., Philadelphia, 1888).

Nuyaka Misison was composed of seven women teachers and one man who had charge of the boys out of school hours. The Rev. Thomas Ward Perryman was pastor of the church and instructed pupils in the Bible.²⁸ At the first meeting of the board on April, 17, 1885, David Thompson, Koncharty Micco, Thomas J. Adams and A. R. Moore were present. Hotulko Fixico was a member of the board but was not in attendance.²⁹

At the opening of Nuyaka “. . . seventy pupils were enrolled . . . and of these but two boys and less than a dozen girls could speak English at all. The highest class at the time, consisted of two girls in the second reader . . .

“The plan of Nuyaka Mission is to furnish the native children—especially girls—with a good Christian training. The latter are taught all that thrifty Christian mothers teach their daughters, viz., washing, ironing, making and mending their clothes, as well as general house-work. English only is allowed to be spoken. The two cottages . . . are ‘Marquand and Robertson,’ so called from the donors of the money which paid for the buildings. . . Mrs. Moore is an excellent financier, as well as an educational superintendent.”³⁰

The committee on education of the Muskokee Nation, October 17, 1885, asked for an appropriation of \$5,600 for the scholastic year 1885-86 for “New Yorker Mission.” The matter was recommended by Henry Thompson, president of the House of Kings, concurred in by T. J. Adams, speaker of the House of Warriors and approved by J. S. Perryman, Principal Chief on October 23, 1885.³¹

Some of the expenses incurred at Nuyaka were “Sofkey for a sick boy, 15 cents,” berries and sofkey gritts; fifteen pounds of honey; venison hams at fifty cents each; one wild turkey fifty cents; apples, plums, sweet potatoes and milk; “2 chickens .25.”

²⁸Thomas Ward Perryman, Creek Indian, was born in 1846. He was educated at Tullahassee Mission where he was noted as a diligent pupil. He became a teacher and district attorney before being ordained a Presbyterian minister. He was a member of the Creek Council and he and his second wife, the former Ella Brown of Kittanning, Pennsylvania, taught at Nuyaka. Mr. Perryman devoted much time to assisting Mrs. A. E. W. Robertson in the final revision of her translations of the New Testament (Pilling, *op. cit.*, p. 69).

²⁹*Okmulgee Daily Times*, May 10, 1935, p. 3, cols. 1-5.

³⁰O'Beirne, *op. cit.*, p. 44.

³¹Oklahoma Historical Society archives, No. 36640.

Provisions were bought from James Parkinson, James A. Patterson & Co., and F. B. Severs. Ferriage was a large and frequent item in the expenses of the school.³²

Chief Perryman approved the same amount for "Nuyarker Mission" for the school year 1887-88 and Augusta R. Moore, superintendent, made her fourth annual report to the House of Kings and the House of Warriors. The school term began September 30, 1887 and closed with a public examination June 23, 1888. During the fall term there were several cases of malarial fever among the students some of whom were taken home by their parents. Six homesick pupils who ran away, lost their places as they did not return to the school. Eighty-four names were retained on the rolls. There were no deaths at the mission during the year but Melissa James one of the pupils, had to be taken home a victim of consumption and she died in about three months. One of the most promising students, and the one who had made the greatest progress for the length of time he had attended school was Gabriel Ispahecha but he was stricken with the same fatal disease in April and died at his home, the middle of July.

During the year a number of barrels of clothing were sent to the mission from which many of the children were entirely or partly clothed. Other gifts were fruit trees to the value of \$20.00; a grant of 100 Bibles and a large pulpit Bible from the American Bible Society; a set of fire extinguishers for each of the three cottages from the Board of Home Missions; many new books and \$199.00 from James Parkinson for an addition to the Boys' Hall.

Mrs. Moore reported: "A year ago a young Californian half breed Indian who had worked on the Mission farm, for a year and a half, died at Nuyaka . . . the name of the young man was Peter Simes." An unsuccessful effort was made to find his friends and after all of the expenses of his illness and burial were paid it was decided to buy cattle for the mission with the remainder of his money as the amount could easily be refunded if his relatives ever appeared.

A full accounting of the funds appropriated by the Creek Nation was made in this report: "For Buildings \$2500.00; for

³²*Ibid.*, No. 36641.

furniture \$1000.00; the farm, stock, wagons, etc., \$1600.00. Total \$5100.00. The Presbyterian Board of Home Missions paid the balance of the \$12000.00 which the mission buildings cost, and also paid \$1200.00 in addition to the \$1000.00 for furnishing the school properly. . .

“From the time of the third quarterly payment of last year’s drafts until within two weeks of the time the third quarterly draft for the present year was due, not one cent was paid on the Nuyaka drafts, although they were duly made out, audited and presented. The school was, therefore, for one whole year, run on credit, and would have had to be closed but for the kindness of F. B. Severs and James Parkinson, who paid all of my bills for the year. . .”³³ The school of forty-four boys and forty-three girls during that term, numbered many of the most prominent names in the tribe. Among the pupils were members of the families of Herrod, Porter, Berryhill, Monahwee, Harrell, Tiger, Sands, Checote, Dunson, Bruner, Marshall, Yargee and McGilvray.³⁴

On October 9, 1888 the secretary of the Board of Home Missions of the Presbyterian Church notified the Muskogee Council, which was then in session: “I regret to announce that our efficient Superintendent of Nuyaka school felt compelled to resign the first of August. I desire to bear testimony to the efficiency of Mrs. Moore and to her zeal and earnestness as a teacher and her capabilities as a manager of Nuyaka school.”³⁵

An extra was issued November 1, 1888 by the *Muskogee Phoenix*, printed on rose colored paper, to announce the appointment of Judge Moore as treasurer of the Muskogee Nation. The paper commented on the appointment as “a most fitting one and a just tribute to his sterling worth. The Creek treasury is safe in his hands.” Mrs. Moore’s financial talent was again brought into service and she “was called the ‘Little Treasurer’ because she kept the books and paid the bills so that she was *de facto* treasurer.”³⁶

It is said that “a movement was once started to have her adopted into the Creek nation, but nothing came of it. It would

³³*Ibid.*, No. 36643.

³⁴*Ibid.*

³⁵*Ibid.*, No. 36644.

³⁶Notes furnished the author by Samuel Worcester Robertson after the death of his sister.

have honored the Creeks, had they adopted her.”³⁷ Mr. S. W. Robertson states that “The ‘honor’ of being made citizens of the Creek nation was lost to the whole Robertson family when the council refused to pass a bill that would have granted them citizenship because they feared to establish a precedent that they might not want to follow later I have a copy of the bill . . . It may be that at that time [while Judge Moore was treasurer] a special effort was made to give citizenship to Gusta, but if so, I never happened to hear of it.”

Mrs. Moore wrote an interesting account of the manner in which the Creek elections were conducted: “The voters of each ‘town’ —Kussehta, Okfuskee, Alabama etc., gathered at a set time, opposing candidates stood at the head of parallel lines made by their friends who were then counted by the town king, as near as I understood the method — it was like the Jews going to their home town to be taxed. No matter how the ‘towns’ were inter-married they had to go to their ‘town’ to vote. Mr. Moore was a Kussehta and he had to go to his town near Okmulgee.”³⁸

Mrs. Moore accompanied her husband to Washington in 1888-89 when he went as one of the delegates from his nation. The purpose of the delegation was “to try to get congress to appropriate \$400,000.00 of the Creek funds for a per capita payment to relieve distress. [Their attorney], Ex-Gov. [S. J.] Crawford of Kansas managed to get the bill tacked on to the Indian appropriation bill as a ‘rider’. Senator [James Kimbrough] Jones of Arkansas was a warm friend of Mr. Moore’s and did all he could. It had leaked out that [President] Harrison would demand a very heavy bond—at that time the Creek Treasurer’s bond was only \$5000.00. Severs and Patterson and others in Oklahoma [Indian Territory] with the help of their wholesalers in St. Louis were prepared for a million dollars.”³⁹

“I . . . went with him [Mr. Moore] by appointment to call on President Harrison. We sent in our cards (Mr. Moore’s as Treasurer of the Creek Nation) and mine as superintendent of the

³⁷*Sunday Times-Democrat*, Okmulgee, August 18, 1935, p. I, col. I and p. 9, col. 4.

³⁸Questionnaire, *ibid.*

³⁹Capt. Frederick B. Severs and Mr. James A. Patterson were wealthy and prominent merchants in the Creek Nation.

Presbyterian mission school at Nuyaka. Mr. Moore told his errand; that he wished to know officially what bond the president would require of him. He tossed our cards with a disdainful gesture into the waste basket and answered that he hadn't decided on the exact amount, but it would be very large. The outcome was that no extra bond was required! I was head clerk in paying the money out and by act of council was allowed to take Mr. Moore's place while he was sick a few days."⁴⁰

Mrs. Moore resumed her position at Nuyaka and her report for 1891-92 stated that subjects taught in the school were Algebra, Natural Philosophy, Physiology, United States History, English Grammar, Arithmetic, Reading and Bible. All of the students were given a thorough examination in these studies at the close of school. The Board seemed surprised at the proficiency shown by the highest classes. The health in the mission had been remarkably good although sickness throughout the country was unusually common that year. Mrs. Moore noted with regret that a few pupils had run away but that the average attendance was 77 $\frac{1}{3}$. She stated that this was probably her last report: "on account of family reasons have been compelled to lay down my school work." She was succeeded by W. B. Robe who, with other members of his family, had a remarkable teaching career in the missions of Indian Territory.⁴¹

"I have known all of the Creek chiefs since the [Civil] War. Went to school with Pleasant Porter [at Tullahassee Mission]. I had children of both Sam Checote and Isparhechar in my Nuyaka school. I knew [Gov.] C. N. Haskell . . . I heard Bryan speak in Muskogee and heard his famous peace speech on the hill side at Hot Springs. I knew my uncle, Gov. (Francis A.) Pierpont of Virginia who married my father's youngest and favorite sister, Julia Augusta." Mrs. Moore was named Ann for her mother and Augusta for Mrs. Pierpont. "I knew Chief W. P. Ross of the

⁴⁰Questionnaire, *ibid*.

⁴¹Oklahoma Historical Society archives, No. 36645. "The famous old Nuyaka mission, after almost half a century's tutelage of Indian youths closed its doors forever last week. The last graduates received their diplomas, the superintendent made his final talk to the students, and the footsteps of the children were heard for the last time in the old halls. . . The school buildings there will be sold at auction. The furniture and books will be moved to the Euchee Mission at Sapulpa" (*Tulsa Tribune*, May 31, 1922).

Cherokees and the famous John Ross before the war. His family attended grand father's church at Park Hill. . .''⁴²

Mrs. Moore relinquished her position because of the declining health of her husband and they retired to their ranch which was a center of hospitality. Friends and travelers were always welcomed and missionaries were received and made to feel at home. On these occasions religious services were held before the house, under the forest trees on the spacious lawn.

In 1908 Judge and Mrs. Moore built a stone church in the town of Haskell as a memorial to her parents. It is called Robertson Memorial Chapel. While no children were born of the marriage of Judge and Mrs. Moore it cannot be said that they were childless as their home was a refuge for numerous orphans and Mrs. Moore helped to educate twenty young people. Judge Moore died October 10, 1911 at Battle Creek, Michigan where his wife had taken him hoping for an improvement in his health. Mrs. Moore carried on the interests of her husband and managed the "Mule Shoe Ranch" for years.

In 1912 she embarked on a trip abroad, her principal interest being a visit to Palestine. The itinerary was expanded to include the other countries around the Mediterranean as well as Germany and the British Isles, where she particularly enjoyed visits to the famous cathedrals. Mrs. Moore, being widely read, had a thorough understanding of the historical and literary shrines she visited and she was able to transmit much of her pleasure to other people by her letters to the *Haskell News* and by talks in churches and schools after her return home.

When the first meeting of the American Red Cross was called in Haskell Mrs. Moore was elected head of the organization, which was a branch of the Muskogee County Chapter. This branch accomplished fine work under the patriotic women of the town who organized auxiliaries at Stone Bluff, Hickory Grove and Choska. A member of the branch was sent to Muskogee to learn surgical dressings; Mrs. Moore took great delight in learning to knit and she was as pleased as Punch the day she first turned a heel in a pair of socks intended for a soldier. No call was ever

⁴²Questionnaire, *ibid*.

made on the Haskell branch that was not filled on time and in a most satisfactory manner.

Mrs. Moore made a second voyage abroad in 1922 when she again visited the countries around the Mediterranean. She was in the Ghiza Gardens at Cairo when the guns were fired to mark the change of rulers in Egypt. She saw Gen. Edmund Henry Hynman Allenby "among his roses which he tended personally, and was shown over the grounds of the British crown there.

"I was on board our ship in the Constantinople harbor when the city on both sides of the Golden Horn, and all the shipping, was illuminated in honor of Mohammed's birthday. I saw the brilliant show when the sultan went to prayer."

When Mrs. Moore's sister Alice was a candidate for congress from the third Oklahoma district she was supported by her sister in every way; she gave her time, her strength and much of her personal means to further her sister's ambition. No one took greater delight in the honors that were showered on the second woman member of the House of Representatives and some of Mrs. Moore's happiest recollections were of her visits to Washington during her sister's term in the House. "While Alice was in congress she sent me to a review of the cavalry at Ft. Myer by General Pershing. After the review there was a 12 o'clock breakfast at [the home of the commandant] and there I met the girlishly lovely Grace Coolidge. . .

"One of the greatest days of my life was when Alice had an important Indian committee meeting at the hour that the international peace conference made public its report in the hall of the D. A. R building. [Mrs. Moore took her sister's place.] Exactly on the hour the members entered the hall. I had a splendid seat where I could see and hear everybody. . . So many left the House to attend that I heard a member say 'this looks like a meeting of the House.'

"Alice took me with her to the reception in the Pan-American building—if I remember it was given by Secretary Hughes for the Peruvian minister—the one who sent Alice a splendid bouquet because, when for the first time in the history of the world a woman presided over a legislative body, the question brought up for discussion was whether the U. S. should be represented at the

Peruvian fair. There I met Secretary Mellon and talked to him, and to Chinese ambassador Sze and his interesting wife. I exclaimed over their excellent English and asked Mr. Sze where he studied and he said Cornell."

Mrs. Moore had travelled extensively in her own country, in Canada and in Mexico where she recounts: "I saw the very handsome marble mausoleum that [Pancho] Villa had built for himself on ground which he stole—removing the bodies long buried there. I was a guest in the house of the man in Chihuahua who sold the million dollar mine to Potter Palmer of Chicago."⁴³ She attended the Centennial Exposition in Philadelphia, the World's Fair at Chicago where she "was caught in the fearful jam the night of October 9th" (1893), the fairs at St. Louis and Seattle.⁴⁴

Mrs. Moore told with glee that "when Mr. Moore was in Battle Creek Sanitarium Taft made an address. The thing I remember best is that [Dr. John Harvey] Kellogg sat on the stage, as a member of the reception committee, next his rival and enemy, Post, and we who knew were amused at the disdain they showed toward each other. . .

"The only time I ever saw Roosevelt was when he spoke from a stage on the Katy right of way [in Muskogee]. Alice had not been invited to be on the reception committee but he asked for her at once and I heard him say that Alice Robertson would be postmaster as long as he was president."⁴⁵ Mrs. Moore was in Muskogee in 1882 when an earthquake shook the town: she was visiting at the home of her sister, Mrs. Grace R. Merriam, in Santa Barbara, California when the earthquake took place on the anniversary of the first one that destroyed so large a part of the city.

On May 22, 1934 Mrs. Moore sent to the author a letter saying: "I am inclosing a letter from Sister Alice for you to do with as you think best. You may have the story written for publication that she mentions." Miss Robertson's letter, written aboard the presidential yacht *Mayflower*, on the note paper of the craft is as follows: "My dear Augusta: One of the finest men in the Pres-

⁴³*Ibid.*

⁴⁴*Ibid.*

⁴⁵*Ibid.*

byterian ministry was sent abroad when he could not take his wife 'Jennie' with him. He carried with him a little framed picture of her and used to take it out and turn it in all directions saying 'Look Jennie, look!'

"So I wish you could look, for this tiny scrap is written on the 'Mayflower' the 'President's Own' yacht, on which I am out for a day's 'junketing' the only woman invited,—

"And this is as much as I wrote, for there was too much doing. I wish I could give you a history of the day, when the Secy. of the Navy treated me as tho' I were the especial guest of honor, how Mrs. Harding's room was placed at my disposal &c, &c.

"Don't give this little boasting to the papers— If I can I'll write a little account of the day . . . Alice. Thursday May 20."

Mrs. Moore made many valuable contributions to the Oklahoma Historical Society in the way of letters, manuscripts and pictures. She was elected three times to the school board of Haskell where she gave devoted service. She served two full terms " . . . and then we voted ourselves out to be part of a union school district."⁴⁶

She was a member of the Haskell Women's Civic League, the American Red Cross, vice president of American Bible Society, president of the federated women's missionary societies of Haskell, president of the missionary society of the Robertson Memorial and member of the Ladies' Guild of the same church.

During the influenza epidemic of 1918 the mayor of Haskell called upon Mrs. Moore to take charge of the situation and she acquitted herself, as she always did, with honor to herself and satisfaction to the public. Mrs. Moore was formerly a wealthy woman but she had impoverished herself doing for other people. She made an unsolicited gift of \$500.00 to help liquidate the indebtedness of the University of Tulsa, formerly Henry Kendall College of Muskogee, which was founded by Miss Alice M. Robertson. For the last year and a half of Mrs. Moore's life she resided with Mr. and Mrs. Head Right Moore, on their ranch near Haskell. She and Judge Moore had reared this nephew when he was left a tiny

⁴⁶*Ibid.*

orphan and he and his faithful wife showed their appreciation by their tender care of "Aunt." Mrs. Moore displayed with pride a wool cover for her bed made by her niece "Ellen" from lambs she had grown on the ranch.⁴⁷

Mrs. Moore never lost her interest in world affairs and at an advanced age she was able to read without glasses. Her letters to her friends were filled with shrewd comments on events in this country and abroad. She was a delightful hostess and a charming guest. Her kindness and charity were a part of her being and her place cannot be filled in the community she loved and called home.

The day before her death she was visited by a party of friends from Okmulgee. Among them was the Rev. Sam Checote, one of her pupils at Tullahassee. On being shown into her room he knelt beside her bed and while holding her hands he prayed in Creek "giving thanks for the life of the great, good woman who had done so much for his people. Then he prayed that she might know the peace of an untroubled heart after a life spent so well . . .

"After a while she asked me to hand Mr. Checote her old Creek hymnal, she wanted him to sing . . . They sang No. 1, first in the modern version and then to the old tribal chant . . . [with] a clear, ringing 'God bless you' " her old friend left her.⁴⁸ She died that night and her bark sailed out on her last voyage on the wings of a prayer and song from the lips of a member of the tribe to whose betterment her life had been devoted. Mrs. Moore was found dead in her bed on the morning of August 17, 1935, at the home of Mr. and Mrs. H. R. Moore. She had been in ill health for over a year and her end came as a result of heart trouble.⁴⁹

Her funeral services were held in the Robertson Memorial Chapel and were largely attended by friends from Muskogee, Tulsa, Okmulgee, and other towns. The services were conducted by the Rev. C. M. Wallace of Muskogee, Rev. R. J. Lamb and Rev.

⁴⁷Letter from Mrs. Moore to author, April 12, 1934.

⁴⁸Letter from Mrs. Harriette Johnson Westbrook, of Okmulgee, to author, August 28, 1935.

⁴⁹*Muskogee Times-Democrat*, August 17, 1935, p. I, col. I; *Muskogee Daily Phoenix*, Sunday, August 18, 1935, p. I, col. 5; *Sunday Times-Democrat*, Okmulgee, August 18, 1935, "Mrs. Augusta Moore" by Harriette Johnson Westbrook, p. I, col. I and p. 9, col. 4.

C. W. Kerr of Tulsa. She was buried beside her husband in the Haskell cemetery.⁵⁰

Mrs. Moore is survived by her brother Samuel W. Robertson of Santa Barbara, by a nephew, Hon. Alfred Robertson of the same city; by her nieces Mrs. Roderick Thompson of Santa Barbara and Mrs. Joseph Daltry of Middletown, Connecticut (daughters of her sister Grace R. Merriman); and four cousins, children of her mother's sister, Mrs. G. I. Hopson, Mrs. Edith Walker and Miss Emma Hicks, of Muskogee, and Herbert W. Hicks of Vinita, Oklahoma.⁵¹

Mrs. Moore modestly summed up her life in the questionnaire frequently quoted in this sketch: "... while leading a very quiet life I have seen a great deal of my own country, parts of Canada . . . and Mexico, besides my foreign [European] tours . . . I have enjoyed living and glimpses into the lives of people far above me in education and position."

⁵⁰*Muskogee Daily Phoenix*, Tuesday, August 20, 1935.

⁵¹*Muskogee Times-Democrat*, August 17, 1935, p. I, col. I and Number Nine, page 2.



CHIEF JOHN ROSS

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by

John Bartlett Meserve.

It is to the social upheaval and the chaos of religious beliefs which engaged England and all Europe in the 16th and 17th centuries, that America is indebted for its first substantial settlement. When the Church of England folk began to oppress the Puritans in the valley of the lower Trent, the Puritans withdrew to Holland and from thence came to Massachusetts. When, under Cromwell's regime, the Roundhead abused the Churchman, the latter sought refuge in Virginia. Likewise later, the persecuted Quaker found a haven in New Jersey and Pennsylvania and the Catholic sought religious tolerance in Maryland. Here each brought his peculiar religious tenets and here they continued to dispute wherever they were afforded an opportunity or could beg one. The Scotch immigrant to the shores of America was influenced by the repeated collapse of his efforts to reestablish the Stuarts upon the throne of England. He was of Calvinistic stock but was less serious minded about laying up treasures in Heaven; his interest was absorbed in the plentitude of golden opportunity among the Indians in the new country. These sturdy, militant folk settled largely in the Carolinas and later in Georgia. The Highlanders, in many instances and quite naturally, headed back into the hill country of these colonies and obviously their immediate contact with the Indians was much more complete than was that of other settlers who lingered in the tide-water regions. The Indians gave a ready response to the fraternal spirit evidenced by the Scottish settlers, the utmost comity prevailed and many of the Highlanders were accorded tribal membership. Numerous Scotch traders and settlers intermarried with the women of the tribes, bequeathing a mental poise to their descendants, many of whom achieved wealth, distinction and influence among the Indians. Scottish surnames became common among the Cherokees, Creeks and Choctaws and the absorption process continued through the years as these racial currents amalgamated. In the political affairs of the Cherokee Nation, Scottish influence began to evidence itself and for upwards

of fifty years, the political life of that tribe yielded to the influence of chieftains of Scottish blood.

Among the Scottish immigrants who arrived at Charlestown, South Carolina in 1766, was young John MacDonald, who was born at Inverness, Scotland in 1737. He immediately removed to Savannah, Georgia and became engaged as a clerk in a trading store which did a thriving business with the Indians. The young Scotchman evidenced much finesse in his dealings with the Indian clientele of his employers which resulted in his being sent to Fort Loudon, on the Tennessee River near Kingston, Georgia, to open up a trading post and carry on a trade with the Cherokees. Shortly thereafter, he engaged in business for himself, married Anne Shorey, a daughter of William Shorey and Chi-goo-ie his full blood Cherokee Indian wife and was adopted into the Cherokee tribe. He subsequently removed, with certain of the Cherokees and located near Lookout Mountain, Tennessee, where he resumed his trading operations and where he met and formed the acquaintance of Daniel Ross under circumstances which had a rather romantic denouement.

Daniel Ross was a native of Southerlandshire, Scotland where he was born in 1760 and as a child came with his parents to America in the latter half of the 18th century. His parents settled at Baltimore where young Ross was orphaned about the close of our War of the Revolution. The young man, accompanied by a companion by the name of Mayberry, journeyed to Hawkins County, Tennessee where they constructed a flat boat which they loaded with merchandise and the adventurous pair undertook a trip down the Tennessee River to the Chickasaw country to engage in the fur trade with the Indians. At Sitico, on the Tennessee River near Lookout Mountain, they were detained by the Cherokees and as a consequence, were enforced to remain among the members of that tribe. It was here that young Ross became acquainted with John MacDonald and the members of his family and in 1786, married his daughter Mary. She was born at Fort Loudon, Tennessee, on November 1, 1770 and died at Maryville, Tennessee on October 5, 1808. During the next twenty years, Daniel Ross traveled among and traded with the Cherokee Indians at numerous trading posts which he had established. He enjoyed the highest

confidence of these Indians, wielded considerable influence among them and died on May 22, 1830. The children of Daniel and Mary Ross were Jennie, Eliza, John, Susannah, Lewis, Andrew, Annie, Margaret and Marie.

The celebrated Cherokee Chieftain John Ross, son of Daniel and Mary Ross was born at Ross Landing, now Chattanooga, Tennessee on October 3, 1790. There being no schools to accommodate the education of his growing family, Daniel Ross who was then living at Maryville, Tennessee, prevailed upon the Cherokee council, about the closing days of the 18th century, to take its initial steps in the matter of education. The first school was established at Maryville and John Ross was one of the first pupils. He subsequently attended an academy at Kingston where he remained for two or three years and later clerked at a trading post. Independent trading operations were later undertaken by young Ross and his brother Lewis which proved quite successful.

The dawn of the 19th century found the Cherokees, not only the most powerful but the most civilized of the North American tribes. Their domain covered lands in southern Tennessee, southwestern North Carolina, western South Carolina, northwestern Georgia and northern Alabama. Remarkable progress was being made in education and in the adoption of the civilized methods of the white man. Schools, churches and asylums were established by leaders who were comparable in ability with that of their white oppressors. By 1822 each family cultivated from ten to forty acres, raising corn, rye, wheat and cotton and much trading was done with their white neighbors. The women spun and wove their own cotton and woolen cloth and blankets and knitted the stockings worn by the family. The Indians lived in cabins built of hewn logs with well built floors and chimneys. The wealthier members enjoyed fine plantation homes. Hunting shirts, leggings and moccasins along with old customs and religions were rapidly disappearing. Political progress kept apace with education and economic advancement and in 1817, New Echota was made the capital of the nation and by 1820, a modest form of representative government was enjoyed and admirably administered. All savage, nomadic impulses and practices of the red man had been abandoned and the Cherokees lived at peace among themselves and with the ad-

joining tribes. Missionaries had been a most potent factor in the advancement made by these Indians.

During the years of their progress, the menace of potential eviction from their ancient and hereditary homes ever confronted the Cherokees. They stubbornly parried the earliest efforts of the Government, but as time progressed the menace grew until their peaceful homes were rudely violated and the actual deportation of these unwilling Indians was enforced. The years preceding the removal of the Cherokees to the old Indian Territory were eventful years in their history. The path of exile across the prairies to the West and the struggles during the inceptive years in their new homes, were painful experiences. It was no pageantry of adventure; it was a boulevard of broken dreams. Much dishonor was involved in our early treatment of the Cherokees. Through these uncharted seas, the stricken Indians were extremely fortunate to possess the masterful and unselfish leadership of John Ross, chief-tain of the Cherokee Nation from 1828 until his death in 1866. The life story of John Ross covers fifty years of the vital history of the Cherokee Indians with every portion of which his efforts were closely interwoven. These were the years of their greatest distresses and later, of their rehabilitation.

The public service of John Ross began at the age of 19 years when he was dispatched by Indian Agent Meigs on a mission to the Western Cherokees in Arkansas. He later enlisted and served as an adjutant in his company in a regiment of Cherokee warriors who fought with General Jackson in the Creek War of 1813-14. The young adjutant served with distinction and rendered heroic service at Horseshoe Bend in the spring of 1814, when the recalcitrant Creek were well-nigh annihilated. After the war, young Ross and his brother Lewis engaged in the mercantile business and in 1816, he made a business trip to New York.

United States officials in surveying the lands ceded by the Creeks at the conclusion of the Creek War by the Treaty of August 9, 1814, undertook to include a fraction of the Cherokee domain. A protesting delegation, of which John Ross was a member, hastened to Washington and negotiated the² Treaty of March 22, 1816 where-

¹Kappler, Vol. II, p. 107.

²Kappler, Vol. II, p. 125.

by the boundary lines of the Nation were satisfactorily adjusted. With this service was inaugurated a fifty year period of unremitting devotion to the welfare of the Cherokee Indians by John Ross who was to become a most potent force among them. The political autonomy of the Cherokees again was threatened the following year by the arrival among them of a commission from Washington to open negotiations for the removal of the Cherokees to the West. This commission contacted the Indian leaders at the agency in July 1817 and the task of formulating a response to the demands of the commissioners was delegated to John Ross and ³Elijah Hicks, his brother-in-law. The response submitted by Ross and Hicks invited attention to the progress being made by these Indians; to the prescriptive rights under which the Indians held title to their lands; expressed disapproval of the removal idea and requested that the tribe be permitted to enjoy a peaceable possession of their domain. This memorial was signed by 67 town chiefs and approved by the Cherokees. Despite the overwhelming opposition of the responsible leaders of the tribe, a removal treaty was signed by a few irresponsible town chiefs on⁴ July 6, 1817. Efforts to enforce this

³The Hicks family has been and is today one of the most prominent families among the Cherokees. Nathan Hicks, a Scotch trader, married Nancy, a daughter of Chief Broom, a Cherokee and town chief of Broomstown, Georgia, about 1730. Of their children, only the names of Charles and William are preserved. Charles, born about 1765, is reputed to have been the first Cherokee to obtain an English education, having been taught by Moravian missionaries. He was the first chief of the Cherokees back in the East, under the new constitutional government, died before completing his term which was completed by his brother William. Charles Hicks was the father of Elijah Hicks who was born on June 20, 1796. Elijah Hicks served as clerk of the Cherokee legislature in 1822 and shortly thereafter married Margaret, a sister of Chief John Ross. He served as president of the National Council in 1826-7 and was appointed editor of the *CHEROKEE PHOENIX* in 1832 and continued the publication of this paper until late in 1834 when the press and all equipment were confiscated by the Georgia authorities. He led a caravan of 858 Cherokees to the West during the removal days, leaving the East on September 9, 1838 and reached the old Indian Territory on January 4, 1839, being the first detachment to reach their new homes. He was a signer and one of the framers of the constitution of 1839. Elijah Hicks settled on the old California Trail at the present site of Claremore, Oklahoma and called his new home, Echota. He conducted a trading post at his new home and was dispatched several times to Washington as a representative of the Cherokees. He was a member of the peace delegation sent by the Government to compose differences with the warring tribes in the Southwest. (See *Chronicles*, Vol. XIII, p. 68 et seq.) He died August 6, 1856 and is buried upon his original homestead which is now the Claremore City Cemetery. His wife died in 1862 and she is buried at Park Hill by the side of Chief Ross, her brother. His son Daniel Ross Hicks was the father of Ed D. Hicks, now of Tahlequah, Oklahoma.

⁴Kappler, Vol. II, p. 140.

treaty provoked another delegation to Washington, headed by John Ross, the finale of which was the Treaty of February 27, 1819 which effectively put an end to all removal agitation, at least for the present, although the authorities of Georgia, Alabama and Tennessee were continually urging the Federal Government to proceed with the deportation of the tribes.

John Ross became president of the National Committee in October 1819 which position he continued to occupy for eight years. The National Committee was, at that time, the designation of the upper house of the legislative branch of the Cherokee national government. The progress made by the Cherokees was greatly augmented in 1821, by the invention of the Cherokee alphabet or syllabary by Sequoyah, a full blood member of the tribe. The response of the Indians to this innovation was truly phenomenal and in 1823 Sequoyah, with unselfish zeal, carried his invention to the Western Cherokees in Arkansas, where he established his permanent abode. In the fall of that year the Cherokee council, in recognition of the splendid contribution made by Sequoyah, awarded him a silver medal bearing a commemorative inscription. John Ross was delegated to convey this token of regard to Sequoyah and once more he journeyed to his fellow tribesmen in Arkansas.

The State of Georgia became insistent upon the removal of the Cherokees and continually reminded the Federal Government of the engagements it had made by the Act of Congress of April 24, 1802. On October 4, 1823, United States Commissioners Meriweather and Campbell arrived quite unexpectedly at New Echota to contact the Cherokee council, then in session, to perfect terms for a removal of the tribe to the West. The Indian leaders calmly listened to the overtures of the commissioners, but firmly expressed their resolve not to yield another foot of their domain. It was at this point in the negotiations that the famous McIntosh incident took its place in the pages of Indian history and not altogether to the credit of the United States Commissioners. William McIntosh, a mixed blood of Scottish and Creek Indian descent was, at that time, chief of the lower Creeks and had hitherto enjoyed a high measure of confidence among his Cherokee neighbors. The cunning McIntosh had been a pliant tool in the hands of the commissioners

⁵Kappler, Vol. II, p. 177.

in their dealings with the Creeks and through his adroit manipulations the tribal domain of his people had been entirely dissipated. As a concluding effort in their unsuccessful negotiations with the Cherokees, the commissioners undertook to enlist the assistance and influence of McIntosh, to control the tribal leaders. As a preliminary gesture, but which was quite unfortunate, the wily chief wrote his famous⁶ letter of October 21, 1823 to John Ross, in which he expressly agreed to procure the commissioners to pay to Ross and his friends, certain, definite sums of money, if they would yield in the negotiations. McIntosh came on to New Echota while the negotiations were pending, to discuss the matter with Ross and requested that he be permitted to address the Cherokee council. This engagement was easily arranged by Ross but as a preliminary gesture, Ross caused the letter to be read and translated before the council, in the presence of McIntosh. It is unnecessary to state that McIntosh did not address the council, but did barely escape from the hall, mount his pony and ride in haste from the scene of his disgrace. He had misjudged the character of John Ross. Ross sent the letter on to Washington where it may be found today among the archives of the Indian Department. The commissioners returned empty handed and through the adroitness and integrity of John Ross the removal menace again was postponed, although sentiments of uneasiness and uncertainty impelled the council to dispatch another delegation headed by John Ross to Washington, to plead against any further importunities for land cessions.

This delegation grew bolder as it met the demands of Secretary of War Calhoun for the immediate removal of the Cherokees, by a reiteration of their determination to cede no more lands, because the limits as fixed by the treaty of 1819 had left them territory barely adequate for their comfort and convenience. Then in unmistakable terms, the delegation reminded the Secretary that the Indians were the original inhabitants of the country and were unwilling to permit the sovereignty of any state within the boundaries of their domain; they had never engaged to cede their lands to the Federal Government, but, on the other hand, the Government had guaranteed the land to them by solemn treaties which guaranties had been confirmed by the ⁷Supreme Court of the United

⁶See photostat of this letter in "The MacIntoshes", *Chronicles*, Vol. X, p. 316.

⁷*Fletcher vs. Peck*, 6 Cranch. 87. (1810)

States. Ross and his delegation left nothing to be imagined as to the position of the Cherokee Nation and its people. It was a challenge to the rights of the states and to the bona fides of the Federal Government in the numerous engagements which it had made with the tribe. The challenge was taken up by Gov. George M. Troup of Georgia, who hotly declared that "a state of things so unnatural and fruitful of evils as an independent government of a semi-barbarous people existing within the limits of a state could not long continue" and in a message to his legislature in 1825, he counselled the extension of the laws of Georgia over the Cherokees.

The Cherokees under the inspiration of John Ross, insisted upon their rights as an independent political entity and when the State of Georgia sent surveyors to lay out the course of a canal through the Cherokee country, they were refused permission by the Cherokee council in 1826 with a resolution that "No individual state shall be allowed to make internal improvements within the sovereign limits of the Cherokee Nation."

To more effectively coordinate their political status with the plan of the United States Government, a constitutional convention of Cherokee representatives met at New Echota on July 4, 1827 for the purpose of framing a constitution for the Nation and was organized by electing John Ross as its presiding officer. A constitution was framed, modeled after the Federal constitution with the powers of government carefully distributed into three branches; popular suffrage was ordained and religious freedom guaranteed. Significant was the language of its preamble, "We, the Cherokee people, constituting one of the sovereign and independent Nations of the earth and having complete jurisdiction over its territory to the exclusion of the authority of any other state, do ordain this constitution." The challenge to the states of Georgia, Alabama and Tennessee was complete. It was a noble and appealing gesture, predicated upon historic facts, but was to provoke a tragedy. The so-called inherent rights of the Indian had become more or less legendary. As a matter of fact, the "man on horseback" came to the Indian when the Pilgrims landed at Plymouth Rock.

In October 1828, John Ross, the duly elected chief, assumed the duties of chief executive of the newly created Cherokee Republic and immediately proceeded to organize the new government.

The discovery of gold in the Cherokee country in July 1829 excited the cupidity of the whites and provoked drastic legislation by the Georgia legislature which completely nullified the potency of the Cherokee government. Its national council was forbidden to meet save for the purpose of ceding its lands. Cherokee courts were denied the right to convene. Laws denying the right of an Indian to bring suit or to testify against the word of a white man were enacted and these provisions rendered it impossible for the Indian to defend his rights in any court or resist the seizure of his home and property. White persons were denied the right to live within the Cherokee country without a license from the Georgia authorities. This enactment was leveled against the white Christian missionaries who lived among and taught these people and this occasioned the arrest, conviction and prison sentence of Dr. S. A. Worcester and Elizur Butler, to be followed by the famous decision of the United States Supreme Court in 1832. Obviously, the purpose of these and kindred laws, equally obnoxious, was to enforce the retirement of the Cherokees from the state. The Indian removal act was passed at Washington on May 28, 1830 and a fixed policy was declared by the Federal Government.

A disaffection against the policy of Chief Ross began to develop within the tribe, led by Major Ridge, his son John and his nephew Elias Boudinot, who formed an opposition party which favored removal to the West. These men were capable, cultured and patriotic members of the tribe who appraised the hopelessness of the situation and the utter futility of further resistance to the avowed purposes of the General Government. The Cherokee council passed a law which made possible the imposition of the death penalty upon any citizen who bartered away any of the tribal domain. Although assemblages of the council had been prohibited by the laws of Georgia, the council continued to meet at Red Clay and Chief Ross never abandoned his brave protest against the oppressive measures invoked by the State of Georgia and the Federal Government. Numerous delegations were sent to Washington to protest against the aggressions of the Georgia authorities, but were able to accomplish nothing.

The Treaty of February 28, 1835 engineered by Rev. John F. Schermerhorn with the Ridge faction provided for the complete extinguishment of all title to Cherokee lands in the East and the

removal of the tribe to the West. This treaty was submitted to and rejected by the council although it had the support of the Ridges and Boudinot who gave it their support in the face of the previous council legislation providing the death penalty. Chief Ross vigorously opposed the adoption of the treaty by the council and prepared to depart at once for Washington to protest again. On November 7, 1835, the eve of his departure, the Chief was seized by the Georgia authorities and held for several days. His private papers as well as the records of the council were rifled. It was evidently thought that with Ross out of the way, the Cherokees could be managed more easily. At the same time, his friend John Howard Payne, who was his house guest, also was seized and his historical manuscript rifled. Payne was subsequently released and ordered out of the country. A short time before this, the *Cherokee Phoenix* and its plant had been seized and removed to Georgia. In the spring of 1834, the comfortable plantation home of Chief Ross and his extensive farm and buildings near Ross Landing, now Chattanooga, Tennessee, had been ruthlessly taken from him by the holder of a lottery ticket, under Georgia law and he and the members of his family were evicted in a most cruel, humiliating and inhumane manner.

In October 1835, aided by a handful of unprincipled, self-styled representatives of the tribe, a treaty of removal was made, ratified by the United States Senate and proclaimed by the President on May 23, 1836. This treaty was an obvious fraud upon the Cherokees and was denied approval by their council. Chief Ross hastened to Washington with a protest signed by over 15,000 members of the tribe, but with no avail. In the fall of 1836, Ross visited the Western Cherokees in Arkansas again and sought to enlist their opposition to the fraudulent treaty. Opposition to the treaty was practically unanimous among the Cherokees as was evidenced by another protest which Chief Ross presented to Congress in the spring of 1838 and which was signed by 15,665 tribal members. These protests accomplished no consideration and with unrelenting severity the Government now hastened to banish the Indians en masse to lands set aside for them beyond the Mississippi.

*Kappler, Vol. II, p. 439.

The removal of the Cherokees came as the culmination of years of imposition upon them. It was a soulless enterprise in which no considerations of humanity were permitted to interfere. A moratorium on political ethics was declared by the South-eastern States and deliverance from the Indians became the burden of their litany. The Cherokees ultimately yielded their ancient legacies to the despotism of the strong and acquiesced in the tyranny of the more powerful.^a

In the spring of 1838, the enforced removal of the Cherokees was intrusted to Gen. Winfield S. Scott and on May 10th, the General established headquarters for his troops at New Echota and the actual deportation by military force, was undertaken. Ross met the situation with a calm dignity which forestalled armed opposition by the Indians, but with a strength of purpose which inspired with confidence the harrassed Indians. In the ranks of the opposition to the Indians, Ross was considered the chief adversary. The United States Government and the state authorities declined and refused him all recognition. Straggling bands of the disheartened Indians for months had been wending their way to the West when the military arm of the Government took charge. The Indians were circumvented at every turn but it became evident that the removal of these people could not be accomplished by brute, military force. There were so many pathetic features which challenged the finer sensibilities of even the hardened soldiers who were engaged in the effort. On July 23, 1838, upon request of the Cherokee council, the entire program for the removal of the Cherokees was handed over to the council and to this task, Chief Ross gave his every attention. The famous chieftain, whom the United States Government had declined to recognize and whom the Georgia authorities had attempted to bribe and bulldoze, was now recognized to accomplish the task where the army had failed. Truly, it was a vindication and belated recognition of the masterful leadership of John Ross among his people. The kind, unselfish executive in whom his people so implacably believed, patiently regimented the Cherokees and in the winter of 1838-9, led the last remnant of the tribe to the unknown West—the West where the broad, open

^a*Indian Removal* by Grant Foreman, pp. 229 et seq. For a splendid narration of the Cherokees in the West, see *The Five Civilized Tribes*, by Grant Foreman, Chapters XXI to XXXII, inclusive.

prairies gather the sunset in their arms until the dark comes. When the agony was over, some four thousand of the more helpless old men, women and children had perished during the journey, to be buried by the wayside in unknown and unmarked graves. Truly, it was a "trail of tears." Quatie, the Cherokee wife of Chief Ross sickened during the trip and died at Little Rock, Arkansas in March, 1839. The brave chief pressed on and into the Territory and shortly thereafter established his famous home at Park Hill some three miles southeast of the present town of Tahlequah.

The Ridges and Boudinot were already in the West and difficulties faced the chief and the council in their new home. Three factions grew out of the discordant elements,—the Old Settlers, composed of the Western Cherokees who had voluntarily come west many years before, the Ridge faction who had accepted removal and the Ross Nationals. The Old Settlers and the Ridge adherents combined against Ross but were destined to lose in the conflict. Discord was growing and in some manner which has never been satisfactorily explained, the Ridges and Boudinot, each signers of the removal treaty, were pronounced guilty and the penalty of death cruelly exacted on June 22, 1839. It was a savage gesture and unworthy of condonation. These men, under the impact of overwhelming odds, had favored removal and signed the treaty which ceded the tribal lands and thus rendered themselves liable to the death penalty. This death penalty was exacted, but not through any pretense of compliance with the orderly processes of the law, but by some sort of concerted action. Quite naturally, the Ridge adherents attempted to fasten the crime upon Chief Ross, who was perfectly innocent. Naturally, the breach widened and quite inopportunistly, shortly thereafter, the Ross Nationals met in council and denounced the Ridges and Boudinot as outlaws justly liable to the death penalty and declared the murderers restored to their confidence and good favor.

In September 1839, a new constitution was framed and subsequently adopted and agreed to by all factions and John Ross was elected Principal Chief of the reunited Cherokee tribe, a position he was to hold by successive reelections until his death in 1866 and Tahlequah was made the capital. Tahlequah was established by an

Act of Council of October 28, 1843. Through the personal efforts of Chief Ross, a "treaty was concluded with the Government on August 6, 1846 whereby a patent was granted to the tribe for the lands in the old Indian Territory and certain indemnifying amounts were paid for losses sustained by the Indians from depredations sustained by the Indians prior to their removal. The quiet little city of Tahlequah probably will never witness again a singular and fantastic assemblage like the one which assembled on the old Cherokee council grounds and to which Chief John Ross was the host, in July 1843. It was the famous inter-tribal council at which some eighteen tribes were represented by an attendance of between three and four thousand Indians. No more spectacular gathering of the Indians was ever convened.

The decades succeeding the removal and preceding the Civil War were comparatively free from dissention within the tribe. The Cherokee government under the famous chief was eminently successful but the advent of the Civil War provoked another challenge to the sagacity of the chieftain. His initial counsel was for one of neutrality between the North and the South. He sensed the disadvantages which would embarrass the Indians should an unfortunate choice be made between the warring elements. His inclinations were with the Union and in this sentiment he was supported by his second wife who was a northern lady and a pronounced Union sympathizer. The chief, at first parried the overtures of the Confederacy to form an alliance with its government and in his communication to the Confederate Commissioner of Indian Affairs under date of June 17, 1861, he evidences the qualities of a statesman, when he states, " * * * We have no cause to doubt the entire good faith with which you would treat the Cherokee people; but neither have we any cause to make war against the United States, or believe that our treaties will not be fulfilled and respected by that Government. At all events, a decent regard to good faith demands that we should not be the first to violate them." On May 17, 1861, the chief issued a proclamation to his people, urging a policy of neutrality. This was done in the face of the fact that a strong under current was developing in favor of an alliance with the Confederacy. He joined with Opothleyahola, the Creek leader, in the futile attempt to marshal the tribes

¹⁰Kappler, Vol. II, p. 561.

into an inter-tribal agreement to remain neutral. This meeting which was held at Antelope Hills in the western part of the Territory, failed in its purpose and this debacle, together with the withdrawal of all Federal troops from the Territory and the immediate occupancy of the same by the Confederate forces, placed the neutral element among the Cherokees in an awkward situation. The stubbornness with which John Ross had defied the demands for the removal of his people back in the thirties, now relaxed and on August 12, 1861, he addressed the summoned council at Tahlequah and counselled an alliance with the Confederacy and this action was unanimously taken. The chief entered heartily into the cause of the Confederacy, feeling perhaps that whatever the final fortunes might be, the Cherokee people would remain a united Nation.

The fortune changed sooner than was anticipated and on July 14, 1862, the Union forces occupied Tahlequah. The old chief at Park Hill requested and was granted a military escort by the Union general to Ft. Scott, Kansas, where he entrained with his family for Philadelphia. The advance of the Union forces into the Territory was of brief duration and within a short time the Confederates reoccupied the country. The Cherokee government was now left in control of the Confederate sympathizers, Chief Ross was deposed and Stand Waitie was chosen in his place. Stand Waitie, who was a commissioned officer in the Confederate service now occupied Tahlequah and burned Rose Cottage, the Park Hill home of Chief Ross and the council house at Tahlequah, on October 28th and 29th, 1862. This action was cowardly and indefensible. Stand Waitie was a brother of Elias Boudinot but lacked the character of his distinguished brother. He was a brave, courageous leader when the foe was in flight or he was burning the house of some Indian who was away from home.

In February 1863, the tide of war again changed and the supremacy of the Union again was established in the Cherokee portion of the Territory. The Cherokee council again met and repealed the act deposing Chief Ross and reinstated him. The chief, then in Philadelphia, hastened to Washington to confer with Government authorities and on September 1, 1865, arrived at Tahlequah, preparatory for entering into the Ft. Smith conference with



Rose Cottage, the Park Hill home of Chief John Ross

the United States Commissioners. He was dissatisfied with Section 9 of the treaty of June 19, 1866 wherein the tribe was enforced to adopt their former negro slaves into tribal membership and immediately thereafter left for Washington to enter his protest against its ratification. The old chieftain was much broken in health and passed away at the Medes Hotel on lower Pennsylvania Avenue in Washington, D. C., on August 1, 1866. A year later, the Cherokee council caused his remains to be returned to the Territory and placed to rest at Park Hill where his grave is suitably marked. His last resting place has become a shrine among the people whom he served so faithfully and capably for fifty years.

Chief Ross was married twice, his first wife being Quatie Martin who died at Little Rock in March 1839 and is buried there where her grave is suitably marked. His second wife was Mary Brian Stapler whom he married at Philadelphia on September 7, 1844 and who died at the temporary home of Chief Ross at 708 South Washington Square, Philadelphia, on July 20, 1865 and is buried in the Stapler cemetery lot at Wilmington, Delaware. The chief was a man of medium height, with a slender and supple figure. In personal appearance, he was a typical Scotchman, with blue eyes and brown hair. John Ross was a Christian gentleman, a consistent member of the Methodist Church, South. He was quiet, dignified and reserved in manner, with a personality that inspired respect and confidence. His thirty-eight years tenure as chieftain of the Cherokees covered the period of their greatest distresses and although the quantity of his Indian blood was negligible, his fidelity to the interests of the Cherokee Indians, never faltered.

It was with courage and finesse that the chief postponed the removal crisis for twenty years and his diplomatic efforts in so doing had won and sustained for him, the highest confidence of his people although their ultimate destiny should have been apparent. The conflicting status provoked by the attempted political autonomy of the Cherokees within the confines of the States was wholly illogical and could have no permanence. Ross, erudite leader that he was must have foreseen the futility of his efforts to preserve for his people, even a semblance of their independent status in the East. He was not a conciliator but shared the funda-

mental impulses of the Indians. He created for them a social and political condition which set them apart from "barbarians." Chief Ross was probably influenced, as he had a perfect right to be, by the declarations of the "Supreme Court of the United States, which through its great Chief Justice, John Marshall had said, " * * * the Cherokees are under the protection of the United States of America and no other power. * * * The Indian tribes are wards of the Nation. They are communities dependent upon the United States. They owe no allegiance to the States and receive from them no protection. * * * Within the boundary lines of the territory of Indian Nations, as established by treaties with the United States, the Indians possessed rights with which no State could interfere. * * * The Indians possessed a full right to the lands they occupied until that right should be extinguished by the United States with their consent." It was manifest to John Ross and the coterie of capable leaders with whom he was surrounded, that the southeastern states could in no manner lawfully interfere with the Cherokees. It was equally manifest that their lands could not be taken from them by the Government without "their consent." This consent had been withheld by the Cherokee council when it denied approval of the fraudulent removal treaty. John Ross possessed a naive faith in his people and in the righteousness of their cause. His wishful trust in the United States Government and in the ultimate triumph of justice for the Cherokees influenced his course of thought and action. In the realization of his ideals of justice, he was to suffer disappointment. But then, one sometimes thinks that history is a monotonous repetition, a game under different disguises, although we persuade ourselves that moral progress is a reality and that mankind is slowly climbing an invisible ladder to better things, leaving its beastiality behind. Some vagaries linger athwart the pages of our national history and our unfair treatment of the Cherokees is among them. The entire removal program of the Government might have been softened by an effort to "sell" the idea to the Indians by their education of its advantages. They were an intelligent people and fully capable of responding to any reasonable overtures had they been advantageously presented.

¹¹Worcester vs. Georgia, 6 Pet. 515.

The decades of their tribal life in the West were as interludes preparatory to their splendid participation¹² in the social and political life of Oklahoma, but the service of John Ross to these people will never be forgotten. His public life involved his complete personal sacrifice. He was an incorruptible advocate amid environs of bribery, betrayal and graft. A survey of the Indian leaders during the tragic removal years, places John Ross foremost in the ranks of his contemporaries. His career is a study in personal leadership of the highest character.

¹²The Cherokee people have made wonderful contributions to the public life of Oklahoma and to the Nation in the years since their own political life elapsed. Among its outstanding leaders one finds, Robert L. Owens, for eighteen years a United States Senator from Oklahoma; W. W. Hastings and T. A. Chandler, former congressmen from the state; Houston B. Tehee, a former Registrar of the United States Treasury; Clem Rogers, a member of the Oklahoma Constitutional Convention, after whom Rogers County is named; his son the late Will Rogers, world famous humorist-philosopher; Ed B. Hicks, who developed the initial telephone service in the old Territory (*Chronicles* Vol. XII, p. 251 et seq.).

CAPTAIN DAVID L. PAYNE

There is in the library of the Oklahoma Historical Society an old book which contains some information concerning Western Indian Territory, that afterwards became Oklahoma Territory, which is not found in other historical publications. It is the first book published under the title "OKLAHOMA." It was printed in 1885 at Kansas City, Missouri. The authors were A. P. Jackson and E. C. Cole of Kingman, Kansas. The title of this book is: "OKLAHOMA! Politically and Topographically Described. History and Guide to the Indian Territory. Biographical Sketches of Capt. David L. Payne, W. L. Couch, Wm. H. Osborn and Others."

The introduction or, as the authors call it, the "Prefatory" of the book reads:

"From time immemorial there has lain a most enchanting country in the midst of a great nation. Still little is known concerning its true vastness by the average American of to-day. Within its boundaries lie the Indian Territory and the Oklahoma country; a country that will contribute to the world's granary, the world's treasury, the world's highway. It is a picture of a fleeting phase in our national life; it makes a new geography for that portion of America. Little is known of it—little of its greatness, richness, and beauty. Its forests and prairies await the laborer and the capitalist; its cataracts, cañons, and crests woo the painter; its mountains, salt beds and stupendous vegetable productions challenge the naturalist. Its climate invites the invalid, healing the systems wounded by ruder climates. Its fields are large.

"If we succeed in bringing to our reader's knowledge a new country, almost at the doors of the capitals of six great States, our object shall have been accomplished.

"Kingman, Kas., March 4, 1885."

While the prefatory may seem somewhat bombastic, yet 50 years have shown that it was not over drawn. Had the writers known of the rich mineral resources; including coal, lead, zinc,



CAPT. DAVID L. PAYNE

and the great oil fields only awaiting development, they might have written an introduction which would have been considered an inspiration or a prophetic vision.

The copy of this rare book in the library of the Society is autographed as follows:

“Presented to my friend Ridge Comly, City Editor of the Wichita Beacon. E. C. Cole, Author. June 2d, 1886.”

This book was written only a few weeks after the death of Capt. David L. Payne. The first chapter is a biographical sketch of Captain Payne. The fact that this biography was written so soon after his death by a man who was his friend and associate is evidence of the authenticity of data given. Although the *Chronicles* has in the past years given some space to the opening of Oklahoma and made many references to the work of the leader of the movement, David L. Payne, yet no biography of the man Payne has been published. In the September and the December, 1929, issues, W. H. Osburn of Kahoka, Indiana, at one time secretary of the Payne Oklahoma Colony, had an article paying tribute to Captain Payne and gave a graphic description of the organization of the Colony under his leadership.

The following is in part the biographical story of Payne from the book *Oklahoma*:

“Of the statesman, the soldier, and the pioneer, David L. Payne’s name stands foremost in the history of this country—Oklahoma. His sterling qualities, his faithful friendship, unwavering in devotion and constant as a polar star, have endeared him to those who knew him best. Whoever spent an hour in his friendly company without feeling his life’s burdens as a feather? Conscious that you were with one whom you were proud to call your friend—a convivial companion, and a true gentleman in every sense that the word implies. Rudeness and vulgarity were never a portion of your entertainment in his company. His camp was your home; his noble heart your solace. He had the generosity of a prince. His purse was ever open in behalf of those around him who were more in need than himself. When more was needed his industry would procure it. He had friends—indeed, who was not his friend? Of his enemies, they

were few; and of them we need not speak. He was brave and true. He had a heart, when touched, full of love and the pity of a woman. He had faults that were his own; they were few and easily forgotten. He had more brains than books, more sense than education, more courage and strength than polish. Hatred can not reach him more. He sleeps in the sanctuary of the tomb, beneath the quiet of the stars. He did not live to see the sunshine of his dearest hope matured, but left the field for his successor to see his great ambition; that noble country—Oklahoma—opened up for settlement by the white man, and the millions of acres of land made into bright and happy homes, occupied—free and unmolested—by the poor and struggling homesteaders.

“David L. Payne was born in Grant County, Indiana, on the 30th day of December, 1836, where he received the usual country-school education in the winter, working upon his father’s farm in the summer-time. He was bright and forcible in character from his youth, and became more than an average scholar. Being a lover of hunting and adventurous sports, he, in the spring of 1858, with his brother, started West with the intention of engaging in the Mormon war, which was creating great excitement at that time throughout the whole country, and especially in the West. Reaching Doniphan County, Kansas, he found the excitement somewhat abated. Inducements being offered, Payne pre-empted a body of land and erected a saw-mill thereon. This investment, while flattering at the start, proved an unfortunate enterprise, and young Payne found himself entirely destitute of means. He was placed, so to speak, upon his own mettle. With an active brain that would acknowledge no defeat, he soon found an occupation of a most congenial character.

“At the time of Payne’s settlement, Doniphan County—now a fertile and thickly populated section—was the grazing-ground for vast herds of buffalo, deer, antelope, wolves, and other wild animals native to the plains. He became a hunter. There he hunted with much success, as well as profit. He gradually extended his field to the South-west until he had penetrated the Magillion Mountains of New Mexico and explored the course of the Cimarron River through the Indian Territory, and so became familiar and acquainted with the topographical situation of the

great South-west. He naturally drifted from hunting to that of scouting. He was soon engaged by private parties on expeditions, and after a time by the Government. He became the comrade of all the distinguished trappers, guides, and hardy characters of that wild country. His intimacy with Kit Carson, Wild Bill, California Joe, Buffalo Bill, General Custer, and many others of national reputation, approached companionship.

“When the Civil War broke out Payne was one of the first to volunteer his services, being placed in the 4th Regiment of Kansas Volunteers, which was subsequently consolidated with the 3d Infantry; shortly afterwards the two were formed into the 10th Regiment. He served three years as private, refusing during the time six different tenders of commissions. At the expiration of his three years’ term he returned to Doniphan County, Kansas, and in the fall of 1864 he was elected to the Legislature of Kansas, serving in the sessions of 1864 and 1865; during which time, while never courting the part of an orator, his influence was pronounced. At the close of the Legislature he again volunteered as a private, taking the place of a poor neighbor who was drafted. He felt that he was better able to stand the hardships, and leave his friend and neighbor at home with his large and dependent family. Payne, upon re-entering the service, assisted in recruiting a company for General Hancock’s corps of volunteers, and succeeded in enlisting one hundred and nine men, all hardy frontiersmen, who were devotedly attached to him. Again Payne refused to accept a commission, preferring to remain a private and with his friends.

“Payne’s services in the Volunteer army extended over a period of eight years, first as a private in Company F, 10th Regiment Kansas Infantry, from August, 1861, until August, 1864. His second enlistment was in Company G, 8th Regiment of Western Volunteers, and as a private, from March, 1865, until March, 1866. His third service was as Captain of Company D of the 18th Kansas Cavalry, which he served from October, 1867, until November of the same year. And his last service was in the Regular Army as Captain of Company H, of the 19th Kansas Cavalry, in which he served from October, 1868 until October, 1869. In the meantime he performed other services of great value to the State. He

was at one time Postmaster at Fort Leavenworth; also appointed Sergeant-at-arms, for two terms, of the Kansas State Senate. And in 1875 and 1879 he was Door-keeper to the House of Representatives in Congress, at Washington, D. C. Besides engaging in political campaigns that gave him social and acknowledged influence as a leader, he was an ardent supporter of Gen. Tom Ewing, who, after serving a term as Chief Justice of Kansas, sought the great honor of United States Senator. It is credited to Capt. D. L. Payne that Gen. Ewing received his nomination through his influence and support; and such were his efforts in behalf of Gen. Ewing that they remained ever afterwards warm and steadfast friends.

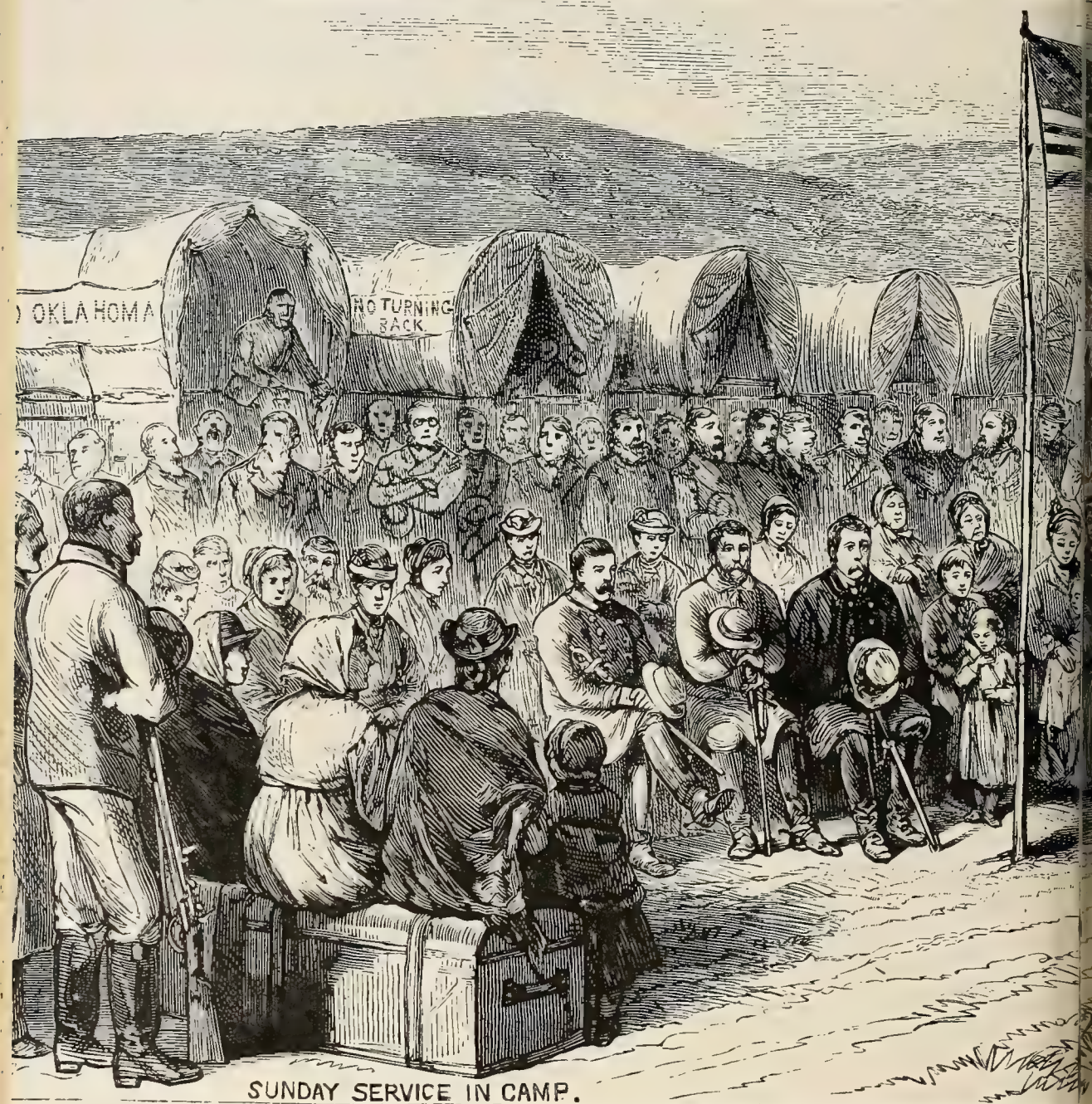
“During the Civil War Capt. Payne was attached to the Army of the Frontier under General Blunt, and was engaged in nearly all of the memorable conflicts that took place in Missouri and Arkansas, distinguished for the desperate fighting and mortality of men. He was a participant in the battle of Prairie Grove, Arkansas, which occurred on the 7th day of December, 1862; and in this engagement he performed an act of gallantry which entitled him to a place in history. In the hottest of the fight his First Lieutenant, Cyrus Leland, was shot through the arm and then through the right shoulder. The enemy, having recovered from the charge, and re-inforced, poured a deadly fire into the ranks of Captain Payne’s company. The commanding officer ordered his men to fall back. Captain Payne, seeing his brave comrade lying upon the ground, while the maddened enemy was charging and ready to trample him under, stepped out of the ranks and lifted up the almost lifeless lieutenant and bore him upon his shoulders for fully one-half mile to his own tent, where surgical attendance saved the life of his friend. Lieutenant Leland was afterwards appointed Adjutant-General upon General Ewing’s staff, and is now a wealthy citizen of Troy, Kansas, a living evidence of Payne’s heroism and devotion. During the session of 1864 and 1865 Payne opposed the Special-Bounty Act purely upon patriotic grounds. However, the act was passed; but he refused to accept it for his own use, but donated it to the county which he represented, thus sustaining his honesty and consistency.

“After the close of the war Payne again resumed the occupation of plainsman, hunting, scouting, guarding caravan trains. From nature he was congenial; from his commanding figure and ways, he was held in respect by the most daring desperado and the wild Indians of the plains, and earned for himself the name of the Cimarron Scout. The Indian Territory, the courses of the Cimarron River, and the Great Salt basin were as familiar to him as his childhood play ground. But few men knew as well the Indian character as he, and his numerous conflicts with the Cheyennes, Arapahoes, Kiowas, and Navajoes were numerous and beyond description.

“In the year 1870 Captain Payne removed to Sedgwick County, Kansas, near Wichita, and the following year he was again elected to the Legislature from Sedgwick County; and during that session, through his influence Sedgwick County was divided, and a new county formed from the northern portion and called Harvey County. In the redistricting one of the longest townships was called Payne Township and for many years it was his home, where he owned a large ranch about ten miles east of Wichita.

“In 1879 Captain Payne became interested in a movement for the occupation and settlement of a district in the Indian Territory known as Oklahoma. This Beautiful Land is located in the center of the Indian Territory, and comprises an area of 14,000,000 acres of the finest land on the American continent. Captain Payne claimed the right to settle on this land under the treaty made by the Government with the Indians in 1866, by which this district was ceded to the United States and became a part of the public domain, and was actually surveyed and set apart as such. Through his personal endeavors a large colony was organized for the purpose of entering and settling upon these lands. The colony moved early in December, 1880, and first assembled upon the borders of the Territory near Arkansas City, on the banks of Bitter Creek; and, after organizing upon military basis, moved along the State line to Hunnewell, where they went into camp. The colony was closely followed by the United States cavalry under command of Colonel Copinger, who had previously informed the intending colonists that any attempt to enter the Indian Territory would be forcibly resisted, the President of the United States having issued

a proclamation to that effect. At Hunnewell the troops occupied one side of the creek and the colonists the other. The latter remained in camp for three days, receiving a great many recruits from Western Kansas. On Sunday, the 12th, the camp was crowded during the day with the inhabitants of the surrounding country, who came some from sympathy and some from curiosity. In the afternoon there was a dress-parade by the colonists, and fully 600 men were in line. The wagons numbered 325, with a goodly number of women and children. During the afternoon of this memorable Sabbath-day the colonists held divine services, conducted by the colony chaplain. The United States troops were invited to attend, which they did, officers and soldiers. The services were opened by that old familiar air, "America;" and the text from Exodus: "The Lord commandeth unto Moses 'to go forth and possess the promised land.' " Appropriate hymns were sung, and the services were closed with the rendition of the "Star Spangled Banner." The feelings and emotions were visibly manifested on all sides, and officers and soldiers affected alike. The stars and stripes were fanning the breezes of a beautiful day from both camps. The wagons were covered by banners with such mottoes as: "Strike for your homes," "No turn back," "On to Oklahoma," and sundry other devices. In the evening council was held as to what course to pursue. It was decided to wait a few days for some modification of the President's orders. Receiving no answer from the petition that had been forwarded to the President, and getting somewhat uneasy, some proposed to enter the land in spite of the military. A meeting was held on the 13th day of December, at which Dr. Robert Wilson, of Texas, was appointed a committee of one to go to Washington, D. C., and see if something could be done at once to relieve the critical situation of the colonists. On the 14th day of December the colony moved on to Caldwell, some thirty-five miles, where they were joined by five more wagons and twenty men. The mayor and a long procession of citizens escorted them through the town, ladies waving handkerchiefs and men and children cheering. The troops moved along with the colonists without interfering with their progress. The day following a mass-meeting was held by the citizens of Caldwell, resolutions were adopted indorsing the movement to settle these lands, and asking the President to order the troops to accompany the colonists to Oklahoma as an



SUNDAY SERVICE IN CAMP.

KANSAS.—THE LAST INVASION OF THE RED MAN'S HOME—THE



OKLAHOMA.—FROM SKETCHES BY CHARLES SILVERTON.

NEWSPAPER.

[JANUARY 1, 1881.]

escort. Being unable to induce Congress or the President to move in their behalf, the colonists became restive, and shortly afterwards—Captain Payne having been arrested by the United States authorities, charged with trespassing upon Indian lands, and thus deprived of their leader—the colonists temporarily disbanded. Captain Payne was taken to Fort Smith, before the United States District Court, Judge Parker presiding, and on the 7th of March, 1881, was tried before the Court. Captain Payne was ably represented by Judge Barker, of St. Louis, Mo., who argued at length the treaty of 1866. The question raised by Captain Payne's arrest involved directly the nature and validity of that treaty, and hence means were offered for testing a point upon which the Secretary of the Interior and the ablest lawyers of the country were at variance, the latter holding that Oklahoma was a part of the public domain and subject to settlement same as other public lands. Captain Payne at this trial was nominally bound over under bonds of \$1,000 not to re-enter the Territory, and returned home. Since the above arrest Captain Payne has made four well-organized expeditions into the Territory, each time safely landing upon the Oklahoma lands; and there laid out towns, located farms, ploughed and planted, built houses—and has as often been turned out by the United States military, seen his property destroyed before his eyes, and forced to the Kansas line and there turned loose, he each time demanding a trial before the courts. His last expedition was in the spring and summer of 1884. He had with him 250 wagons and about 500 men, all being again dispersed by United States troops and escorted to the Kansas line. Captain Payne and his officers were arrested and dragged through the Territory to the Texas line, thence back to the interior of the Territory, marched on foot, and often suffering for the want of food and water, the object seeming to be to wear them out. And then taken to Fort Smith and there refused a trial; then taken from there to the United States Court at Topeka, Kansas, where public sentiment finally demanded a trial which he was accorded at the fall term of 1884, and which resulted in a decision that he was guilty of no crime; that the lands which he sought to settle upon were public lands. Elated with this decision, he returned to Wichita, Kansas, and, though shaken in health from exposure and exhaustion, he at once proceeded to gather about him his faithful followers; and found himself with the largest and strongest expedition that he had ever

yet organized. And in a few days he would have marched at its head to the promised land, when suddenly, on the morning of November 28, 1884, while at breakfast at the Hotel De Barnard, in Wellington, Kansas, he fell dead in the arms of a faithful servant. He died without pain or a struggle. His body is buried in a metallic casket at Wellington, Kansas, and was followed to its present resting place by the largest concourse of people that ever gathered together for a like purpose in Southern Kansas. They numbered many thousands. *The time will come, and at no far-distant day, when his body will find a permanent resting place beneath a monument erected to him in the great square of the capital of the State of Oklahoma.*

“Personally Captain Payne was one of the most popular men on the Western frontier. He was a natural-born scout, and inured to the hardships of the Western frontier. His mother was a cousin of the celebrated David Crockett, for whom he was named. Captain Payne was never married.

“The mantle falls upon a man, not unlike him, who can safely be trusted to carry out the plans of the dead, so nobly begun and nearly completed—W. L. Couch.”

HON. SIDNEY CLARK'S TRIBUTE TO PAYNE

In a splendid tribute to the memory of David L. Payne, the Hon. Sidney Clark, known to every early settler in Oklahoma, confirms this statement as to the military career of Capt. David L. Payne. Mr. Clark said, “David L. Payne was at once known for his activity and enterprise and for the interest manifest in the territory [Kansas]. He was a Free State Democrat though, as subsequent events in his life demonstrate, he was more a patriot than a partisan. Hence it was, when President Lincoln issued his first call for volunteers in 1861, Payne was among the first to respond. He enlisted as a private in Company “F” 4th Kansas Regiment, afterwards consolidated with the 3d, and served for the full term of three years. His company was attached to the army of the frontier. In the brilliant engagement of the Southwestern campaign, he was conspicuous for his bravery, and was never wanting in his devotion to duty.

“On his return home in 1864, he was elected a member of the State Legislature. The War was yet going on. The mighty forces of the Southern Confederacy were yet unchecked. Kansas was largely drained of her men and resources—the session was an important one. Payne acted well in his part in the duties of legislation. He espoused the cause of the soldier in the field, and fought with determination and success a proposition to grant bounty for future volunteers, which he regarded as unjust discrimination against the soldiers who had endured for years, without hope or promise of award, the dangers and hardships of war. He declared in an eloquent speech that he was ready to reenlist without bounty, as soon as the legislature adjourned, and he promptly redeemed his promise. True to the generosity of his nature, he re-enlisted as a private in the place of a drafted man who had a large family to support. He was enrolled in Company “D”, 8th United States Veterans Corps and became a member of the celebrated Hancock Corps following the fortunes of the Army of the Potomac till the end of the war.

“It was during this period that I became intimately associated with Payne. I was able to be of some slight service to him and the comrades of his company and he returned to me the noblest service which one man can to another—the service of a pure and unselfish friendship, which lasted till the end of his life. I happened to know that the great war secretary, Edward M. Stanton, offered him a commission in the regular army, but so great was his attachment to his company that he declined the offer. In his letter of declination he said: ‘There are only a few of the Kansas boys here, and I wish to stay with them. All the loyal States will be represented at Richmond and the highest favor you can do our Kansas company is to give us a place in advance as will move on in the last stronghold of the Southern Confederacy.’ This request was complied with and it was the privilege of Commander Payne to participate in the battles which ended in the fall of the Confederate capital and the final surrender of Appomattox. With the intuition of a true soldier, he remained in the army until the term of his enlistment expired in 1866.

“In the following winter David L. Payne was elected sergeant at arms of the Kansas legislature. In the spring of ’67 he was

made Postmaster at Fort Leavenworth. Some time after this an Indian outbreak occurred in western Kansas, and he raised a company and was commissioned by Governor Crawford, as Captain of Company D, Eighteenth Kansas Cavalry. * * * * *

“The year found him again in the field in command of Company D, Nineteenth Kansas Volunteer Cavalry called out to suppress another Indian outbreak. Three days after he received his authority from the governor, his company was full and ready for the field. The regiment was sent to Camp Supply and was attached to the command of General Custer, and participated in the campaign against the hostile Indians in the western part of the then Indian Territory (now in Oklahoma) and in the Panhandle of Texas. Custer pursued the hostile Indians for nearly forty days in the midst of a rigorous winter, rescued white prisoners, captured two of the principal chiefs, and brought the savages back to subjection by the vigor of his campaign against them. Payne was always ready for the most daring service. General Custer admired his bravery and the men of his regiment called him “Old Ox Heart,” as they gathered around the camp fire and recalled his generous qualities and heroic deeds. It was in this and other expeditions that he gathered extensive information about the country now included within the boundaries of Oklahoma. He comprehended at once the resources and the possibilities of this great expanse of the public domain, and saw that it was the basis on which to found a new American commonwealth. His keen observation was always at play, whether scouting in the enemy’s country, or in the flash of battle, or in the duties of the camp.

“In this campaign as in all others, he served out the full term of his enlistment, and with it ended his military career in the service of the United States. It should be mentioned that in the fall of 1864, Payne commanded a company of Kansas Militia at the battle of Westport and there, as elsewhere, he was heroic and true. It may be said also, that his terms of service as a federal soldier aggregated five years and six months, a longer period than that of any other volunteer. A communication to him from the War Department in regard to his military service concluded as follows: ‘It is proper to add that the records of this office show that you served as an enlisted man in Company E, Tenth Kansas

Volunteers from August 1861 to August 1865; in Company G, Eighth U. S. Volunteers from March 1865 to March 1866; as Captain of Company D, Eighteenth Kansas Cavalry from July 1867 to November 1867, and as Captain of Company H, Nineteenth Kansas Cavalry from October 1867 to October 1870.'

"While absent in the field, Payne's deputy in the postoffice at Fort Leavenworth became a defaulter, and a new postmaster had been appointed. The bondsmen of Payne were held for the amount, but he sold his property and made good the sum to the last cent. This made him a poor man, but undaunted by adverse fortune, he made his way to Sedgwick County, Kansas, then but sparsely settled and located in the township which now bears his name. For a time he tried living in a dug-out ten miles distant from any human habitation, exposed to extreme hardships, but always hopeful of the future, and with a courage that never faltered nor failed. The early settlers of Sedgwick County knew him well, and there are many now living who honor his memory, as they remember how he divided his last pound of flour or his last side of bacon with them in the winter of 1870-71. The first public religious service in Payne township was held at Payne's ranch, and the first Sunday school established. He gave to the school a handsome library.

"In the fall of 1871, the people of Sedgwick County elected him to the legislature as a democrat, though the country was largely republican. Radical and loyal as he had been in the war, and having shown his mettle to the enemy on many a well fought field, he was liberal and magnanimous in time of peace. Hence it is not strange that he originated a bill providing for the removal of the disabilities of Confederate soldiers. His argument in support of the measure was sound, patriotic and conclusive. Among other things, he said: 'Kansas was the most radical state during the war. She should now take a position of the most liberal and progressive, proving to the South that we cherish no animosities against her people. We of the North fought for principle and conquered. Let the young state of Kansas now extend the offices of good will and friendship to the people of the late Confederate states as the basis of a permanent peace.' The bill was finally passed, but not till after a soldier convention was held at Topeka, and the stay-at-home politicians in the legislature made to feel that generosity was better

than hatred, and that the arguments of Payne and his fellow soldiers were absolutely conclusive.

“In 1872 Payne was nominated by his party for state senator, but the district was overwhelmingly republican and he was, of course, defeated. But he made a remarkable canvass, running largely ahead of his ticket. One township gave him every vote with the exception of three, and the township in which he lived gave him a solid vote of 366. After this he spent some time in New Mexico and Colorado in the service of the government, and with his parents in Indiana. He was for a considerable period an officer of the United States House of Representatives concluding his duties as assistant doorkeeper in the winter of 1879, soon after which he returned to Kansas.

“As his military and civil experience was largely on the frontier, and his associations among the hardy pioneers of our civilization, it was but natural that he should become an enthusiastic advocate of the homestead principle, and that he should devote his energies to the march of empire into all parts of our public domain. His observations at Washington were valuable. There he obtained facts relating to conditions existing in the Indian Territory he could not otherwise have obtained. He became convinced that Oklahoma was in reality a part of the public domain, and he at once addressed himself to the work of covering it with homestead settlers with all the ardor of his nature. The earnestness of his labor from the time he commenced the Oklahoma movement to the day of his death; the abuse heaped upon him by a subsidized press, arrogant military officials and by dishonest public officials, and the constant misinterpretation of all the points of the controversy, are a part of the history of the time, and would fill a volume to recount.

“A little more than sixteen years old, Oklahoma is about to enter the Union as a component part of our confederated system of government. From a condition of vassalage, with all her interests dependent and neglected, she will soon emerge into an invigorating atmosphere where taxation and representation will go hand in hand, when local rights and local pride will not be emasculated and crushed by the selfishness and greed of federal rule, and when the multiplex institutions of one wonderful civili-

zation, so essential to the public prosperity, will be established by our own voice and controlled by our own people. As sure as the green grass will spring up in the returning spring, as sure as the waters flow down from the mountains to the sea, so sure the dreams of Payne and Couch and their comrades, will be realized in the full fruition of the state of Oklahoma. And when the temporary prejudices of the hour have passed away, the impartial historian will tell the story of their unselfish deeds—of their fidelity to duty,—and future generations will rise up and call them blessed.”

GRANT HARRIS ON PAYNE

Some interesting and historic episodes in the life of Capt. David L. Payne are told in a story by Grant Harris who was his old time friend and fellow boomer. Grant Harris was, for a number of years, editor and publisher of the *Wakita-Herald* in Grant County, Oklahoma.

These sketches of the life of Captain Payne, and his active work to have Oklahoma opened to white settlers, are of special interest inasmuch as the writer, Grant Harris, was present at the time of Captain Payne's death, November 28, 1884.

The article was given to the Historical Society several years ago by Hon. T. E. Beck of Jefferson, Oklahoma.

The story follows:

“It was either the latter part of May or the first of June, 1884, while I was working on the *Caldwell* (Kan.) *Standard* as a printer, on a Sunday morning the idea was suggested that the other printers, Will Cunningham, Harry Felton and myself would ride over to the “boomer” camp located on Rock creek a few miles south of Hunnewell, Kansas. Securing horses at a livery barn the three of us rode over to the camp and on arriving learned that Captain Payne was wanting a printer as a building had been erected and a printing outfit shipped there from Topeka, Kansas, but the outfit had never been unpacked. The heading for the new paper was the ‘Oklahoma War Chief.’ On the door of the building was posted a proclamation as follows:

“ ‘TO WHOM IT MAY CONCERN, any one guilty of publishing a newspaper in the Cherokee Strip would be deemed guilty of

trespass and punished by imprisonment from one to five years and a fine of from \$1,000 to \$5,000 or both. —Henry M. Teller, Secretary of Interior.'

"The proclamation did not look very good to us printers, but when we met Captain Payne he offered to take one of us at a salary of \$20 per week. None of us wanted to stay alone so we made him a proposition that he hire all three at \$25 each per week payable in advance. We no sooner made the request than Captain Payne ran his hand down in his pocket and paid us the \$25 for the first week. Having left our clothing at Caldwell and being necessary to return the horses to the livery barn, Cunningham and Felton went back to Caldwell leaving me to commence unpacking. The other boys did not return for a couple of days and by that time I had some of the type set for the first issue of the paper and, so far as I know, I set the first type ever set in the Cherokee Strip. The other boys did not stay but two weeks as the United States marshal told us that we would get into trouble as we would be held responsible for the publication of the paper. I remained at \$25 per week and all I could make out of the paper by selling copies at 10 cents each, and printed better than 300 copies each issue. The press was an old Washington hand press and a boy did the inking for me.

"Seven issues of the paper were gotten out up to the middle of August when the arrest of Captain Payne was made by the soldiers. Captain Cooper was the editor of the *Oklahoma Chief* which only contained a few columns of local news, but Captain Payne wrote the real editorials. Payne had no business system of conducting the business of the company. The fee to become a member of the company was \$10, plus \$3 as surveyor's fee for locating claims. Payne received all the money and depended on his memory as to who paid their fees or who had not. At nights I would help book the accounts and many times Payne would have in his pockets several hundred dollars more than the books would show, he would remark, 'H—ll we will find out who paid it in,' and let it go at that. At night the money was put in a big leather bag and kept in Payne's tent.

"We were warned that, if another attempt was made to publish another issue of the paper, all would be arrested, and negro

soldiers were placed on guard at the printing office. I made the forms ready and placed them on the press but delayed in printing any copies until I received word from Captain Payne, who said, 'Go ahead.' I managed to run off a few copies before the soldiers came in and began to carry out the material and place it in an army wagon. I hid the copies and for a number of years had a copy of the last *Oklahoma Chief*.

"A detail of negro soldiers went to Captain Payne's tent and demanded that he surrender, as was well known, Captain Payne was an expert shot and he held a gun in each hand. The negro sergeant ordered his men to get ready to fire when Payne told him if he gave the order to fire, he, the negro, would be dead before they could fire. After a short parley the negro soldiers withdrew and reported to their captain who was a white man.

"Lieutenant Day, of Fort Reno, a white officer, came back to the tent and Captain Payne and eight others were placed under arrest and taken to Fort Smith, Arkansas, for trial; the prisoners were all released, in fact Payne was never able to secure a trial for any of the many raids he made into Oklahoma. I also want to say in this connection that the reason the soldiers did not arrest me was because I was small and looked like a boy much younger than twenty years of age. The settlers were allowed to pack their belongings and return to Kansas four miles north. As to what became of the printing plant I do not know, but a negro several years afterwards told me that he was one of the soldiers there at the time of arrest and that the press and type were dumped into the Cimarron River near where Dover is now located, on the trail to Fort Reno.

"This last location of Captain Payne's 'boomer' colony consisted of some 8,000 acres laid out in ten-acre tracts near Rock Falls, with many settlers on claims in the valleys around the colony. The summer was so dry that little plowing could be done, consequently no crops were planted. The chaplain of the colony was Rev. H. R. Walling and services were held under a big tree near the creek. By the way, Rev. Walling settled on a claim near Medford when the Strip was opened for settlement and afterwards was a member of the Third Territorial Legislature.

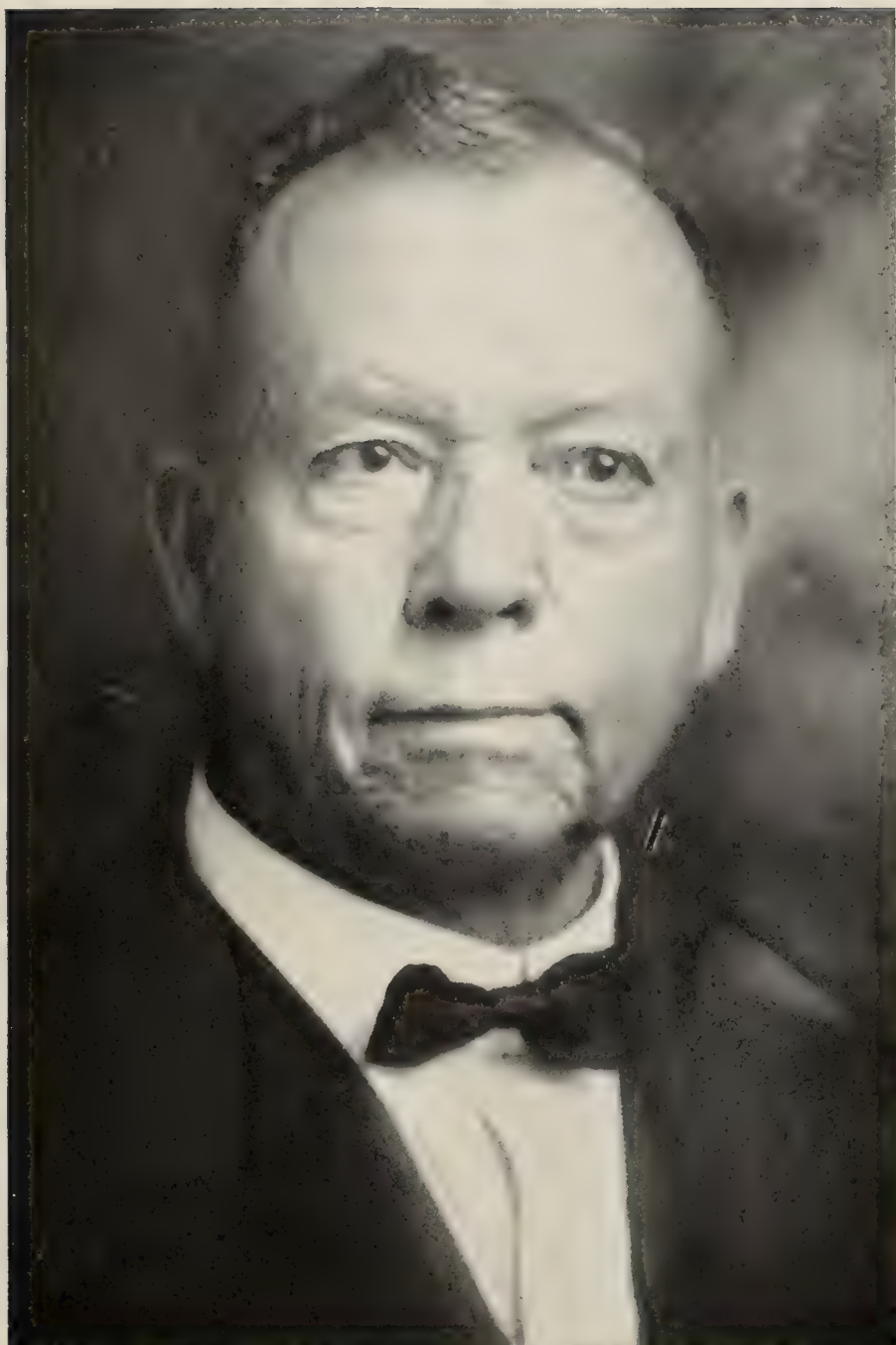
"Payne in behalf of himself and followers demanded a hearing before Judge Parker of Fort Smith, which was denied, but they were turned loose on a nominal bond. He then made arrangements with Judge Foster of Topeka for a hearing in chamber to determine whether the Cherokee Strip was Indian land or government land. Judge Foster's decision was that the statutes were not clear, so the decision did not amount to any thing.

"By November quite a colony had been gathered together at Arkansas City and Wellington preparatory to making another raid into the Strip. It was decided to leave the Kansas border the first week in December, so on the evening of November 27th, Payne addressed the 'boomers' at a meeting held in the court house at Wellington. After the meeting I assisted the Captain with his books and we did not retire until long after midnight. We were stopping at the Hotel DeBenard and it was about 10 o'clock the next morning when we went to breakfast. Captain Payne sat at the head of the table with Captain Cooper to his right and Mrs. Haines, Payne's prospective wife, to his left, myself and the remainder of the company around the table. Captain Payne gave his order for breakfast, the waiter brought it in and set it down before him. Everybody was tired and very little was said while the meal was being served. Captain Cooper remarked to Payne that he should eat his breakfast as it was getting cold and at the same time reached over and shook Payne when, to the horror of all, it was discovered that Captain Payne had passed away. A lot was bought in the Wellington cemetery where the remains now repose of the man who made it possible for this new state of Oklahoma."

There are in the archives of the Oklahoma Historical Society many interesting and historic manuscripts, documents, letters and pictures, as well as museum exhibits, relating to the life story of Capt. David L. Payne, "The Father of Oklahoma."

About twenty years ago Col. Sam Crocker had an old trunk transferred to the Oklahoma Historical Society. It was the property of "Mother Haines." The trunk contained some of the per-

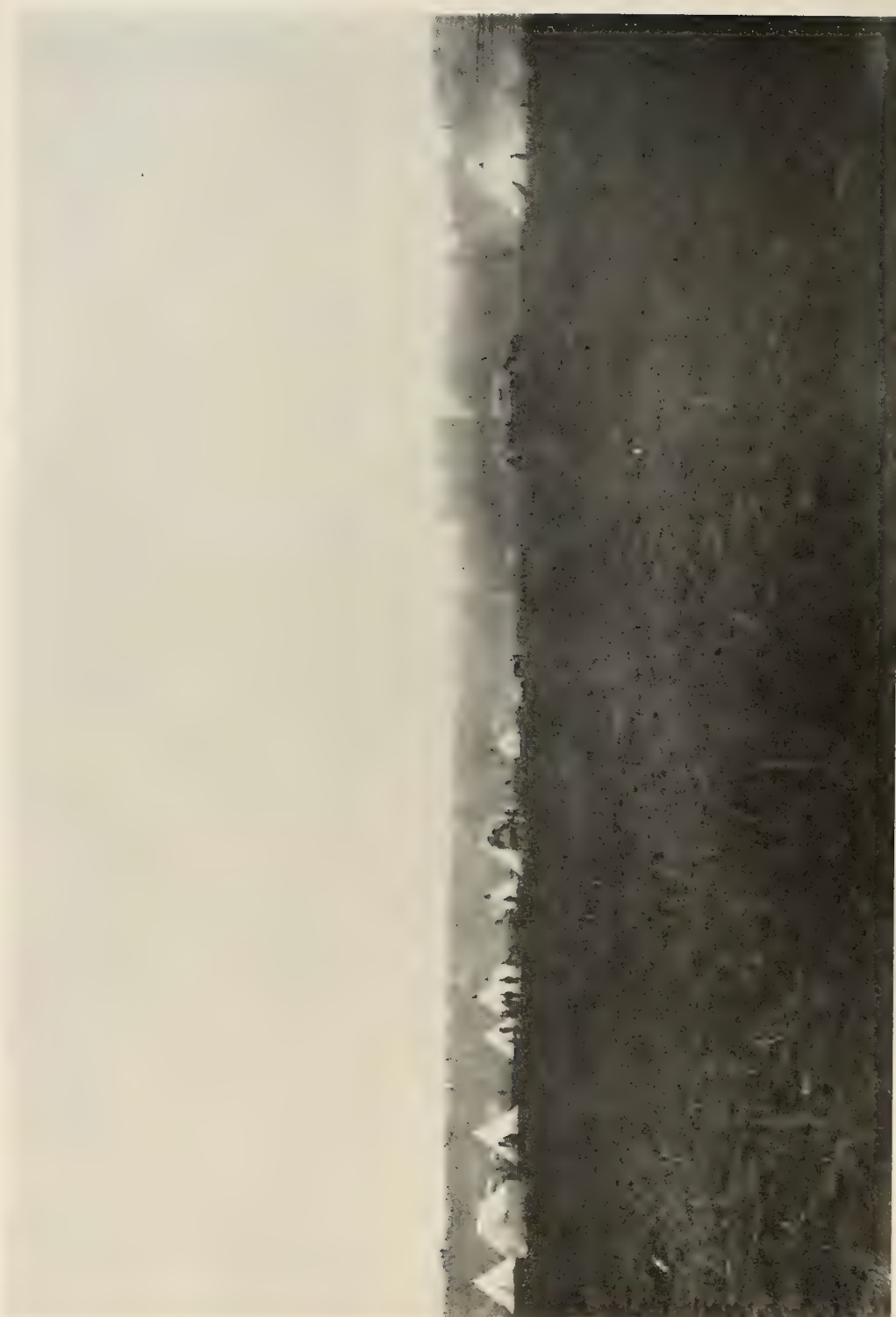
¹Rachel A. Haines was an intellectual woman, a very strong personality, who was always closely identified with the boomer movement, and was the personal, confidential friend of Captain David L. Payne. After the death of Captain Payne, Rachel Haines continued to be connected with the movement to open Oklahoma to settlement. She never deserted the cause and accompanied



DR. C. P. WICKMILLER

Accompanied Capt. David L. Payne on his incursions in to the Oklahoma Country and was the Official Photographer.

Dr. Wickmiller, who has lived at Kingfisher since 1889, recently received a \$50 Prize from one of the leading Papers of the State for having the best collection of Historical Pictures in Oklahoma. He is an honored life member of the Oklahoma Historical Society.



CAMP ALICE

Payne's Camp located west of Oklahoma City in 1883.

sonal belongings of Captain Payne, including some of his clothing and the boots that he wore when he was in camp at "Camp Alice" six miles west of Oklahoma City, in 1883. There were hundreds of letters in this trunk written from all parts of the country, most of them making inquiry about the Oklahoma country and the prospects for its opening to settlement. Some letters had contained money to pay membership dues in "Payne's Oklahoma Colony." Perhaps the most important were from distinguished lawyers who had been asked to give their opinions as to legal status of the unoccupied lands in the Indian Territory. It seemed to be the consensus of opinion of these legal authorities that the Cherokee Outlet and the land constituting original Oklahoma was public domain, and, therefore, subject to settlement under the homestead laws; or at least some of these lawyers would be willing to take a fee to represent the homesteaders.

In addition to business correspondence there were many personal letters including the letters he had written to "Mother Haines" while he was being held as a prisoner at Ft. Smith. There were some large lithographs of Captain Payne taken at the log cabin on the Deep Fork north of Oklahoma City, also tickets to his lectures and some membership blanks in Payne's Oklahoma Colony. Among other documents was a commission given by Gov. Sam Crawford, of Kansas, appointing and commissioning Captain Payne, Major of the Kansas Volunteers, by Brevet, in the services of the UNITED STATES, to rank as such from the 10th day of July, 1865. David L. Payne has always been known as "Captain Payne," but it would seem from this commission that he was, during this Indian campaign, a Major. His appointment as Major was signed by Governor Crawford on the 8th day of October, 1866. This commission is kept in one of the show cases in the museum of the Oklahoma Historical Society.

If some ambitious historian wishes to write the life of Capt. David L. Payne, he will find much valuable material here in the archives of the Historical Society. Oklahoma has never given Cap-

all the expeditions in to the promised land of Oklahoma. She was respected and held in esteem by all the boomers. She, like the other boomers, failed to get a home in Oklahoma for the reason that she had failed to comply with the President's proclamation in regard to entering upon the land prior to 12 o'clock, noon, April 22, 1889.

tain Payne the honor he deserves. It is true that one county was named for him—Payne County, Oklahoma, where the Agricultural and Mechanical college is located. One of Payne's enthusiastic friends and lieutenants, Capt. Joe Works, better known as "Buckskin Joe," sent a large stone to the Historical Society with the words engraved on it "Captain Payne, The Father of Oklahoma." It was sent to the Oklahoma Historical Society more than twenty years ago to be used as a corner stone to the monument to be erected to the memory and honor of Capt. David L. Payne. It is to be hoped that the State of Oklahoma will at some time give proper recognition to the memory of the man who was the leader of the movement that resulted in the opening of Oklahoma to white settlement.

OKLAHOMA'S FIRST COURT

By Grant Foreman.

For many years an anomalous situation existed in the Indian Territory which was productive of a degree of lawlessness probably unparalleled in the country. White people had been pouring into the country of the Five Civilized Tribes and there was no forum in which rights and remedies could be determined and enforced where they were concerned. Many years ago the United States courts in the adjoining states of Kansas, Texas and Arkansas were given jurisdiction to try certain offenses originating in the Indian Territory. However, these courts did not adequately meet the situation and for years the question of establishing a United States court in the Indian Territory had been agitated both in the Territory and in Congress.

The court at Fort Smith was the last district court to exercise a large measure of this jurisdiction. Finally, on March 1, 1889, Congress enacted legislation establishing a court of the Indian Territory. This was accomplished in the face of opposition by Fort Smith, Paris, Texas, and Wichita, Kansas, citizens who contemplated with great reluctance the loss of the business that had accrued to them by the jurisdiction their courts had exercised in the Indian Country. The seat of the new court was fixed at Muskogee, and Monday, April 1, 1889, was the day set for the inauguration of the new court.

This was one of the most eventful days in its history, said a Muskogee paper.¹ For days past a constant stream of strangers had been pouring into the little town. While many of them were lawyers who intended to make Muskogee their future home, not a few came only to be present at the opening of the first white man's court ever held in the Indian Territory.

From the south-bound morning train into Muskogee on that eventful Monday descended the following officials who were to inaugurate a momentous change in the country: James M. Shackelford of Indiana, Judge; Thomas B. Needles of Illinois, United

¹Muskogee Phoenix, April 4, 1889.

States marshal; Zachary T. Walrond of Kansas, prosecuting attorney; and Maj. William Nelson of Indiana, clerk of the court, all of whom proceeded first to register at McQuarie's dining room.

The air was tense with interest and the significance of the occasion. Flags were floating from the buildings along the streets and the people were greatly elated and excited. There having been no court room provided, the upstairs room over the Muskogee *Phoenix* had been hastily fitted up temporarily for that purpose. At 10:30 o'clock the officials of the court and a large number of citizens and visitors assembled in Phoenix Hall. Judge Shackelford presiding, called the meeting to order, and thereupon prayer was offered by the Rev. J. Y. Bryce, pastor of the M. E. Church South, in Muskogee. The judge thereupon directed Marshal Needles to open court. The citizens then, for the first time in Oklahoma heard the proverbial "Hear ye, Hear ye, etc." and then realized that the first session of the first U. S. Court ever held in the Territory was in progress.

The district attorney then presented to the court the appointments, bonds and other credentials of the officers of the court; the judge accepted and ordered them spread upon the records and then adjourned court to meet the next morning.

Tuesday morning at 9 o'clock Judge Shackelford convened court and announced the first business of the court would be the promulgation of the rules defining the qualifications required of the attorneys applying for admission to practice in the court. The following were the rules so ordained:

1. Every male citizen of the age of twenty-one years of good moral character and who possesses the requisite qualifications of learning and ability, may, in the manner hereinafter provided, be admitted to practice as an attorney and counselor at law in the United States Court for the Indian Territory.

2. Every applicant, except as provided in Rule Three, shall be examined by a committee of attorneys to be appointed by the Judge, which examination shall be held in open court, unless otherwise directed by the Judge, and such applicant shall, before admission, produce to the Court by sworn petition, satisfactory proof of the foregoing qualifications, and shall also take an oath

to support the constitution and laws of the United States, and faithfully to discharge the duties of the office on which he is about to enter.

3. Every attorney and counselor at law who has been admitted to practice in either the Supreme or any one of the Circuit or District Courts of the United States, or who has been admitted to practice in the Supreme Court of any state thereof, producing to this Court his certificate, or satisfactory proof of his admission to practice as last aforesaid, upon taking the requisite oath, shall be admitted to practice in this Court.

4. It shall be the duty of the Clerk of the Court to keep a Register in which he shall register and enroll every attorney or counselor at law admitted to practice in the Court, and the Clerk shall issue and deliver to each a license in due form to practice in this court, for which the Clerk may charge and collect the sum of Two Dollars.

Mr. Walrond, the district attorney, then moved for his own admission to practice in the court. The Judge allowed the motion and made the necessary order, after which the following attorneys were admitted to practice in said court upon presentation of proper certificates or other valid proofs of being attorneys in good standing: D. Stewart Elliot of Kansas, Y. N. Foster of Illinois, Napoleon B. Maxey of Illinois, Walter A. Ledbetter of Texas, E. C. Boudinot, of Arkansas, Robert L. Owen,² of Indian Territory, J. H. Crichton, of Kansas, L. E. Jackson, of Indiana, Ridge Paschal, of Indian Territory, Sampson D. Hinds, of Kansas, Preston Lester, of Tennessee, Joseph G. Ralls, of Arkansas, W. D. Crawford, of Arkansas, G. W. Pasco, of Texas, L. S. Fears, of Texas, J. H. Akin, of Indian Territory. The court thereupon adjourned until afternoon at two o'clock, when adjournment was again taken until the next day.

On Wednesday, April 3, at nine o'clock court was again convened by Judge Shackelford and on the motion of Mr. Walrond W. C. Jackson of Fort Smith was admitted to the bar. Judge Shackelford then appointed as jury commissioners for the June

²Former United States Senator Owen is probably the only lawyer in that list now living.

term P. J. Byrne of Muskogee, O. P. Brewer of Canadian District in the Cherokee Nation, and D. M. Hodge of the Creek Nation. The three commissioners were then sworn and instructed as to their duties, after which the marshal conducted them to a private room where they prepared a jury list.

The court thereupon appointed W. N. Martin, A. McCoy and Charley LeFlore jury commissioners for the September term of court, and they were likewise instructed and then shown to a private room to prepare a jury list. The court then adjourned until two o'clock. At the afternoon session the jury commissioners handed in the jury lists and after being complimented by the court for the prompt discharge of their duties the court adjourned until the following day.

On Thursday Judge Shackelford opened court at the appointed hour. Motion was made for admission to the bar of the following lawyers, all of whom, on presentation of certificates and proofs were duly admitted and sworn as attorneys: James Brizzolara of Arkansas, Leroy Neal, W. N. Patterson and Thomas George, all of Kansas. The Court thereupon appointed Maj. William Nelson the Court Clerk, as United States commissioner for the Indian Territory, Benjamin Dye deputy clerk, and William W. Ansley deputy marshal. Upon the opening of the afternoon session of the court Andrew Roeburg applied for naturalization papers. Indian policemen William Foreman and G. Barnum were then sworn in as United States deputy marshals. There being no further business before the court it adjourned until the first Monday in June, 1889, pursuant to the following order:

Whereas, Pursuant to an Act of Congress entitled "An Act to establish a United States Court for the Indian Territory and other purposes" approved March 1, 1889, the above named Court met at Muskogee, in the Indian Territory, on the first Monday of April, 1889, in the regular April term; and

Whereas, There was no venire for a jury returnable to said regular term, and no rule of said court at its organization designating the return day for precepts, writs, summonses, etc., issued out of the clerk's office for said court, and the court subsequently at said term has adopted a rule governing the proceedings of the same; and

Whereas, The undersigned Judge of said court is fully advised of the necessity of a special session of this court for the transaction of pressing business at an early and convenient date under the provisions of the said Act.

Now therefore, The undersigned James M. Shackleford, Judge of the said court does on this Fifth day of April, A. D., 1889, call a special session of the United States court for the Indian Territory, to begin and be holden at Muscogee, in said Territory, at the hour of ten (10) o'clock a. m., on the first Monday of June, 1889, and it is by these presents announced that said term of said court will continue from day to day for the transaction of all business lawfully within its cognizance under the existing rules and regulations of said court until the adjournment of the said session.

Done at Muscogee, in the Indian Territory, on the Fifth day of April, A. D., 1889.

James M. Shackleford,
Judge of said Court.

On Wednesday, April 3, at two o'clock p. m., the attorneys theretofore admitted to practice in this court met for the purpose of organizing a bar association. Judge Shackleford was called to the chair and Prosecuting Attorney Walrond was appointed secretary.

On motion of Mr. Elliot, of Kansas, the names of the following members were enrolled, viz: D. Stewart Elliott, of Kansas, Y. N. Foster, of Illinois; Napoleon B. Maxey, of Illinois; Walter A. Ledbetter, of Texas; S. E. Jackson, of Indiana; Ridge Pascal, of the Cherokee Nation, I T.; Sampson O. Hinds, of Kansas; Preston S. Lester, of Tennessee; J. G. Ralls, of Ohio; Robert L. Owen, of the Cherokee Nation, I. T.; W. D. Crawford, of Missouri; G. W. Pasco, of Texas; L. S. Fears, of the Cherokee Nation; J. H. Akin, Indian Territory.

A committee composed of Messers. Elliott, Pascal and Foster was appointed to select permanent officers for the Association. They nominated Judge J. M. Shackleford president, Z. T. Walrond vice-president, Col. R. L. Owen secretary, and N. B. Maxey treasurer, and their report was adopted.

On motion of Mr. Ledbetter of Texas the chair appointed Messrs. Ledbetter, Elliott, Pascal, Jackson and Ralls as a committee on Constitution and By-laws. The committee was directed to report at the next meeting of the Association. Remarks relating to the objects of the Bar Association were then made by Judge Shackelford, Messrs. Walrond, Elliott, Foster and Hinds. The Association then adjourned to meet again in the court room the first Monday of the next term of this Court.

A local paper introduced the new court officials to its readers in the following language:³

“Judge James B. Shackelford is a gentleman some fifty odd years of age who has been on the bench a number of times in the state courts of Indiana. He is pleasant and courteous in the extreme, and his decisions, though firm, are delivered in a good natured and friendly manner. His popularity with our people is assured.”⁴

“The attorney, Mr. Z. T. Walrond, was a member of the last Kansas legislature, is a man who is held in the highest esteem by the people of his Kansas home and makes friends of all whom he meets. He has made an especial study of criminal law and practice, and we hazard nothing in asserting that he will perform his duties to the letter, as well as to the satisfaction of all.”⁵

“Thomas B. Needles, the marshal, is a banker by profession and we should not be surprised if he soon wearies of the arduous duties imposed by his office. He is fat, good natured, and has about him an air at once attractive and pleasing, and which will do not a little to make the court popular.”⁶

“The gentleman selected by Judge Shackelford as clerk of the court is Maj. William Nelson, of Evansville, Indiana. Major Nelson is a retired officer and served not many years ago in this immediate country and also in Arizona. He is abundantly equipped

³*Ibid.*

⁴Judge Shackelford who captured Morgan the Raider, had a distinguished career in the Civil War, an account of which by Carolyn Thomas Foreman is to be seen in the *Chronicles of Oklahoma* XII p. 103.

⁵Mr. Walrond lived and practiced law in Muskogee until his death.

⁶Colonel Needles afterward served as a member of the Commission to the Five Civilized Tribes in Muskogee.

with the good, hard sense necessary to the successful administration of the duties which his office imposes.

“In the selection of the gentlemen who make up this court, there is a point which might prove of value to certain parties. Not one of them solicited the appointment and the first intimation they received of what was to occur was a telegraphic enquiry whether they would accept.

“For the purpose of getting acquainted with the officials of the Western District of Arkansas, as well as to confer and arrive at an understanding regarding the jurisdiction of the two tribunals, the Muskogee officers went to Fort Smith this week, and will thence proceed to their homes to place their personal affairs in shape for leaving. The clerk will, of course, remain at his post, or have a deputy there to attend to the filing of suits, and a deputy marshal will also be on hand. In this connection it might be well enough to state that several civil suits were begun before adjournment Tuesday noon.

“The jury commissioners selected were P. J. Byrne, and Perry Brewer, of Muskogee, and Capt. J. T. Standley, of Atoka; but the latter could not serve and another was named. They received instructions and entered upon their duties Wednesday morning.

The first session of this court at which the actual business of trying cases was inaugurated was held in Phoenix Hall on Monday morning, June 3, 1889, at ten o'clock. The hall was crowded with lawyers, officers, jurors, witnesses and visitors. Judge Shackelford appointed a committee composed of Hinds, Owen, Ledbetter and Wisdom to examine applicants for admission to the bar and directed them to act at once.

A jury was empaneled and the court called the first case, but as the witnesses were not present court adjourned until afternoon.

When court convened at two o'clock Judge Hinds, chairman of the committee on admission, reported favorably the names of 26 attorneys. He also stated that a number of applicants had filed who did not qualify under the rules of the court. Following this motions were presented to quash summons and dismiss attachments.

The court then called the first case, a criminal proceeding against A. Husted, charged with intimidating and assaulting settlers in Oklahoma. After the jury panel was sworn Prosecuting Attorney Walrond read the section of the law providing that United States citizens could be tried only before a jury composed of United States citizens. Thereupon it was learned that of the 36 jurors summoned all but three were Indian citizens and were therefore not competent to sit in the case on trial. Another jury was then called composed wholly of United States citizens and the trial proceeded. Court adjourned at six o'clock without having finished the trial of this case.

On the opening of court on Tuesday, June 4, after the presentation of a number of motions, a grand jury composed of 16 men was sworn and instructed by Judge Shackleford to act upon cases in which the accused had been held by the United States Commissioner and such as were presented by the prosecuting attorney.

The grand jury was composed of the following: J. A. Patterson, foreman; D. N. Robb, C. W. Turner, J. L. Thomas, Rev. Sugar George, Ned Robins, James Sandford, Wm. Harsha, O. P. Brewer, S. B. Callahan, J. C. Davison, T. F. Meagher, Wm. A. Madden, Jno. O. Cobb, R. A. Evans, and J. M. Rucker.

The court then proceeded with the trial of the United States against Husted. Congressman Silas Hare, of Sherman, Texas, who represented the defendant, challenged the jurisdiction of the court over the Oklahoma country. Reserving decision on the question, the court proceeded with the trial and the case was submitted to the jury at three o'clock in the afternoon.

On Wednesday morning, the jury having deliberated all night, brought in a verdict finding A. Husted guilty as charged and the other defendants not guilty. Four more attorneys were admitted to practice and the court then announced rules for the guidance of the bar: motions and demurrers to be disposed of before an answer could be filed; the different Indian Nations were to be treated as counties for the purpose of verification; the marshal could not be required to make returns on processes until the costs were paid.

After hearing a number of motions on the question of jurisdiction the grand jury brought in its report, finding one indict-

ment against William Barrett and Harry Clinton charged with larceny.

The next morning was occupied with the hearing of motions, only a few of which were passed upon. Default was taken in more than 50 cases and in a few, execution was ordered.

“Among the many who have been in attendance at the U. S. Court this week were noticed the following:

“Ex-Governor McCurtain, of the Choctaw Nation; Col. N. B. Ainsworth, of McAlester; Hon. Wash Grayson, of Eufaula; Captain Jackson, of Gibson; James Crabtree, of Eufaula; Congressman Hare, of Texas; Will Mellette, Esq., of Ft. Smith; Judge G. W. Stidham, of Eufaula; M. Fraree, of Vinita; James Akin, of Vinita; John Bullette, of Tahlequah; E. N. Rasmus, of Tahlequah; John Schrimsher of the Cherokee Nation; Lee Sandels, of Ft. Smith, Garner, of Stringtown; James Forrester, of Ft. Smith; W. W. Ainsley, of Oklahoma; Judge W. H. Tibbles, of Coffeyville, Kansas; Thomas B. Avers, of Coffeyville, Kansas; D. H. Dodge, of Creek Nation; Frank Boudinot; Ben T. Duval, of Ft. Smith; Wm. H. Cravens, of Ft. Smith; and Hon. Stand Gray of Illinois District.

“Deputy-marshal Tyson, of Ft. Smith; J. O'Toole and R. D. Burton, of South Canadian; E. C. Boudinot, of Ft. Smith; Ex-Governor Burney, of Chickasaw Nation; J. S. Standley, of Atoka; Ex-Treasurer Sam Brown, of Creek Nation; Sen. Joe Mingo, of Creek Nation; Chief Justice J. M. Keys, of Choteau; W. T. Whitaker, of Pryor Creek; Dorsey Fife, of Econtuchka; A. Mills, Chetopa, Kansas; R. N. Bynum, Tulsa; B. C. Burney, Woodville, I. T.; A. McCay, McAlester; Richard McLish, Ardmore; J. S. Nale, South Canadian; J. S. Wilson, Gibson Station; J. J. Baird, Tulsa; G. H. Lewis, Choteau; J. C. Pettigrew, Ft. Smith; Wm. V. Carey, Alluwe, I. T.; Connell Rogers, Fort Gibson; R. L. Palmer, Atoka; C. L. Jackson, Guthrie; C. N. Ratcliff, J. O. Hall and W. Ward, of Vinita; Chas. Starr, Cherokee Nation.

“C. O. Frye, Cherokee Nation; Zach Gardner, Pauls Valley; W. L. Payne, McAlester; Wm. McCombs, W. A. Palmer and R. J. Gentry, of Eufaula; Sam Brown, Creek Nation; Thos. Marcum, Ft. Smith; G. B. Hester, Boggy Depot; W. N. Foster, of Illinois; Mr. Rhea, of Texas; C. L. Potter, Gainesville, Texas; Frank P. Blair,

Kansas City; Hon. Ridge Paschal, Vinita; Judge Boss, Girard, Kansas; Judge LeRoy Neal, Chetopa, Kansas; Mr. Wolfenberger, Ft. Smith; Stephen Bluejacket, Bluejacket, I. T.; J. M. Perryman, Eufaula; Sam Grayson, Eufaula; Judge Humphreys, Ft. Smith; L. Guthrie, Oklahoma City; O. P. Brewer, Webbers Falls; William Johnson, Tahlequah; G. H. Lewis, Choteau; and Professor Smith, Tahlequah."

Monday, June 24, was given over to the celebration of the beginning of the new court house. A large assemblage of strangers came to Muskogee to witness the laying of the corner stone by the Grand Lodge of Masons of the Indian Territory. The *Muskogee Phoenix* of June 27 described the proceedings on that important occasion.

"A RED LETTER DAY

"On Monday last Muskogee once again evidenced the claim that for getting up good celebrations on short notice she bears the palm. Notwithstanding the fact that the festive occasion was but little advertised, Monday last witnessed quite an assemblage of strangers in our city, to either look on or take part in the ceremonies consequent upon the laying of the corner stone of the new U. S. Court Building by the Grand Lodge of Masons of the Indian Territory.

"Sunday afternoon the celebrated Parsons Cour de Leon Band arrived, and Monday morning trains brought in a large number of persons from both above and below, and when about nine o'clock the band began to play, Main Street in Muskogee resembled, (we imagine) on a small scale, Pennsylvania Avenue in Washington on Inauguration Day.

"The Masons assembled in their hall over the post office about 10 o'clock, and after quite a little delay the procession, headed by the band, marched to the grounds where, with appropriate ceremonies, the laying of the corner stone took place, after which the large audience present were entertained by able addresses from Robt. W. Hill, D. D., and Hon. Z. T. Walrond.

"After the ceremonies connected with the laying of the corner stone were over, barbecued meat of various kinds was served to all who wanted it in quantities to suit, and if a single individual went



Laying of Corner Stone U. S. Court Building, Muskogee, 1889

hungry on Monday last it was his own fault, as there was enough prepared to feed every individual man, woman and child in the entire assemblage.

“By the kindness of Grand Secretary J. S. Murrow, we are permitted to give the official report of the day:

“ ‘EMERGENT COMMUNICATION OF THE M. W. GRAND LODGE OF INDIAN TERRITORY.

“ ‘A special communication of the M. W. Grand Lodge of Indian Territory was held in the hall of Muskogee Lodge, Muskogee Nation, June 24, 1889, A. L. 5889, 11 o'clock A. M. A special dispensation was read from the M. W. Grand Master, John Rennie, authorizing and empowering the R. W. Deputy Grand Master Leo E. Bennett, to assemble the M. W. Grand Lodge of the Indian Territory in special convention at Muskogee this day for the purpose of laying the corner stone of the United States Court Building.

“First, Officers. R. W. Leo E. Bennett, Deputy Grand Master, as M. W. Grand Master.

“R. W. P. J. Byrne, Past Grand Master, as Deputy Grand Master. R. W. Robt. W. Hill, Grand Senior Warden. R. W. W. N. Martin as Grand Junior Warden. R. W. G. W. Stidham, as Grand Treasurer. R. W. Joseph S. Murrow, Grand Secretary. Rev. L. S. Byrd, Grand Chaplain. R. W. Robt. W. Hill, as Grand Orator. Bro. T. F. Brewer, as Grand Lecturer. Bro. R. L. Owen, as Grand Marshal. Bro. F. B. Severs, Grand Senior Deacon. Bro. Clarence Turner, Grand Junior Deacon. Bro. J. A. Scott, Grand Senior Steward. Bro. Robert Hamilton, Grand Junior Steward. Bro. H. C. Hall and Bro. P. Porter, Stewards. Bro. Z. T. Walrond, Grand Pursuivant. Bro. H. Edmonson, Grand Tiler.

VISITING BRETHREN

“*Eufaula No. 1.* Geo. W. Stidham, P. M., Chas. Gibbons, W. M., Rev. R. C. McGee, Henry Sixkiller, Geo. Downing, S. W. Gray, H. C. Fisher, J. M. Perryman, G. W. Stidham, Jr., S. J. Brashear, P. R. Ewing. *Caddo No. 3.* Wm. Ward, W. M., W. T. Clark. *Oklahoma No. 4.* J. S. Murrow. *McAlester No. 9.* J. Y. Bryce, S. A. Jackson, M. A. Smith, D. M. Hailey, E. H. Doyle, P. G. M.,

Wm. Essex, W. M., Francis Burnett, John Simpson, Joseph Gardner, N. B. Sloan. *Alpha No. 13.* Wm. Jackson, H. C. Lowry, W. A. Barker, H. R. Gill, Joshua Ross. *Webber Falls No. 14.* Ward Turner. *Savanna No. 20.* E. Poe Harris. *South Canadian No. 22.* R. D. Burton, Harmons Burk, Wm. Millican. *Muskogee No. 28.* P. J. Byrne, W. M., J. A. Scott, S. W., W. N. Martin, J. W., R. W. Hamilton. Secy., F. B. Severs, S. D., C. W. Turner, J. D., H. H. Edmonson, Tiler. Leo. E. Bennett, D. G. M., R. W. Hill, D. S. G. M., W. A. Maddin, C. W. Moore, P. Porter, Otto Zufall, J. B. Cobb, R. L. Oliver, T. F. Meagher, O. Fuller, August Bolander, A. Roeburg, W. O. Fisk, N. B. Moore, A. W. Robb, J. H. McQuarie, R. Bailey. *Bruton, U. D., L. S. Byrd, W. M., C. W. Bruton, J. W. Whitefield, U. D., J. J. Thurman. Parsons 117, Kansas.* S. B. Newton, Frank Bever, E. A. Santer, G. W. Gabriel, J. O. McKee, C. W. Hawks, C. Rockhold, E. B. Stevens, C. W. Fletcher, D. N. Barrows.

“Also, the following brethren from other jurisdictions: Jas. Starrow Scotland, M. M. Edmiston, H. C. Hall, Z. T. Walrond, H. S. Bunting, O. K. White, S. Beecher, all of Kansas. John H. Stevens and W. Z. Linsey, of Texas; A. P. Peel, J. S. Southerland, John Williscraft, of Arkansas; C. A. Norman of Tennessee; J. H. Shock of Missouri; N. B. Maxey of Illinois.

“The M. W. Grand Lodge was opened in Ample form in the E. A. Degree. The Grand Secretary read the warrant of authority from M. W. John Rennie, Grand Master, appointing R. W. Leo E. Bennett as Grand Master for the purpose of this convention.

“Eufaula Lodge No. One was admitted and welcomed as a Lodge, and received with Grand honors.

“The M. W. Grand Lodge was opened in Ample form on the E. A. which was formed under the direction of the Grand Marshal and marched to the site of the U. S. Court building where the corner stone was laid with the usual impressive ceremonies of Masonry, after which R. W. Robert, W. Hill, D. D., the Sr. Grand Warden, and Bro. Z. T. Walrond, Past Master of Sequi Lodge No. 160, Kansas, then delivered eloquent addresses refreshing the intellectual, and these were followed by an intermission and refreshments for the physical man. The procession was then reformed and

marched back to the hall where the Grand Lodge was closed in Ample form."

Leo. E. Bennett, as M. W. Grand M.

J. S. Murrow,
Secretary.' "

AN UNUSUAL ANTIQUITY IN PONTOTOC COUNTY

By H. R. Antle

The finding of a single or of several metates anywhere in the prehistoric agricultural section of North America is no remarkable occurrence; when, however, a goodly number of them are discovered thrown together in a very restricted area, it is somewhat unusual. In the first part of this year 1935, the writer found thirty-two of these implements occupying an area one hundred and sixty-five feet long and one hundred feet wide.

A metate, as most know, is an aboriginal grinding-mill. Grain, seeds, acorns, etc., are reduced to a more or less finer form for various culinary purposes. They range in design from mere depressions in an exposed bed-rock to elaborate carved affairs, symbolic in nature. It is generally assumed that the more simple the construction the more primitive the culture of the people using the article. Too, simplicity is theorized as indicative of antiquity.

The thirty-two metates herein reported were located on a wooded slope in the extreme eastern part of Pontotoc County, twelve miles north of Tupelo. The site was two hundred feet west of a temporary stream and in elevation, thirty-five feet above the creek bed. The implements consisted of shallow excavations made into massive fragments of limestone broken from a higher exposed outcropping of rock. Each fragment appeared to be a natural breakage caused by erosion of the hillside, the subsequent undermining of the ledge breaking the rock which, when broken, started a downhill migration. The excavations were relatively small in comparison to the size of the fragments they were in, some pieces weighing as high as three hundred pounds and with depressions only eight to ten inches in diameter and four to five inches deep.

A clear indication of antiquity was shown by the complete overturning of some of the fragments by the action of growing trees.

At the initial examination of the area, only eight of the metates were exposed. By removing the underbrush, rotting stumps, and scraping away the top soil, the remaining twenty-four were brought to light. Two of these latter were overturned, as mentioned before, by the action of growing trees. Roots of other trees ensnared four more of the group.

During removal of the surface soil, a number of so-called 'bird points' and one spearhead were found. The latter was four inches long and two inches wide near the shaft. The former were less than an inch length, one being only one-half an inch long. The fineness of their workmanship was in sharp contrast to the crudeness of the metates.

A thorough examination of the locality failed to reveal any additional archaeological material.



One of the thirty-two metates. Note size of depression in relation to massiveness of the rock.

OKLAHOMA HISTORY QUILT

D. W. P.

Men in all ages have left some trace of their history. Archeologists have learned something of the antediluvians, or those people who inhabited the earth in what is usually termed the prehistoric ages. They have left their imprint in characters that have never yet been fully interpreted, although learned men have spent their lives trying to unravel the mystery story told in these strange figures engraven on stone. Histories that were written in cuneiform characters, and hieroglyphic symbols, have been translated through the aid of the Rosetta stone until the land of the Nile has given up its secrets. The annals of ancient Mesopotamia were written on clay and then baked and filed away, so even now, the research scholar can read the historical records of Babylon and Nineveh as if they were written yesterday. Cadmus, the Phoenician, invented the alphabet, or, as Carlisle has said; "The man who first invented books," and through books the history of the whole civilized world has been preserved.

Now comes an Oklahoma woman and with needle and thread has recorded the history of a great state on a quilt. It is well named the "*Oklahoma History Quilt*." It combines the knowledge of the historian with the genius of the artist. It portrays the history of the state vividly by artistic embroidery.

The artist and author of this historical quilt is Camille Nixdorf Phelan of Oklahoma City. On her part it has been a labor of love to produce this wonderful piece of work, with no thought whatever of financial award. The quilt is now the property of the Oklahoma Historical Society and will be placed in a substantial glass cabinet in the museum of the Society so that students of history will have the opportunity of reading the history of the state by pictographs embroidered on the quilt.

But let Mrs. Phelan tell her own story:

"Embroidering has always been my hobby. Copying pictures is another of my hobbies and I delight in reproducing on cloth with silk thread, the pictures that most appeal to me. When mak-



OKLAHOMA HISTORY QUILT

ing quilts became a popular fad, I turned to that pastime. But—as I preferred embroidering to the seemingly foolish custom of cutting cloth up only to sew it together again, I decided that I would make an embroidered record of the persons responsible for Oklahoma's history. Then the thought came—'Why not add the incidents making up that history?' I began to assemble all the information I could find concerning this great state's early formation, beginning with white man's first appearance. Two years were spent delving into old records, writing letters to historians and in consulting the persons who actually made Oklahoma. For lack of space, I was forced to leave off many interesting incidents and to omit pictures of people who were intimately identified with early Indian Territory and Oklahoma formation

“My main object in making this pictured history and in presenting it to the Oklahoma Historical Society is the fact that in most of the published records of this formative period, the sordid and rough element has been exploited to the exclusion of the cultural and artistic. I want to counteract this influence by depicting the better element and to leave to posterity a record that will show the spirit of patriotism that motivated the great characters who made up the unique commonwealth *Oklahoma*. And I want to express my own appreciation of the 'Land of the Mistletoe,' one time domain of the proud Red Man and the inspiration of those sturdy pioneers, the 89ers, many of whom have already crossed the border in their last great run.

“In actual making, I first selected the pictures I wanted to reproduce, then I carefully sketched a replica on the cloth, reducing or enlarging it as was required to fit the space assigned it, then it was first roughly outlined with black silk thread in order to give it an outstanding effect. With needle and thread I then carefully worked in the expression--and let me tell you, this was no easy task for if a feature was out of proportion, as we will say, a nose too long for the rest of the face, the entire work had to be done over. The work was protected by a cellophane covering until the retouching of high lights was finished. This was done with soft-tinted thread as an artist uses his retouching brush on canvas. After all the figures were finished, the quilting was done. Twenty 100-yard spools of thread were used.

“Every stitch of the embroidering is my own work and I spent all my spare time for four years in actual construction. Two years were spent in research work before I began the quilt.”

The presentation of this priceless gift to the Historical Society was made an historic event. A splendid banquet was given on the night of November 30, 1935, at the Biltmore Hotel in Oklahoma City. Guests were present from many parts of the state. Some of them were men and women who had been identified with Oklahoma history for many years, while others were descendants of those sturdy pioneers who contributed to the founding of our state.

Aletha Caldwell Connor, writer and historian, served as master of ceremonies. Upon presentation of the historic quilt, Gov. E. W. Marland delivered a most gracious and appropriate address accepting the gift, not only on behalf of the Historical Society, but as spokesman for the whole people of Oklahoma.

The following is a brief description of the blocks composing the Oklahoma History Quilt:

OKLAHOMA HISTORY QUILT

Block 1.

Coronado's Expedition, 1541.

Napoleon signing the Louisiana Purchase, 1803.

First Catholic Church, 1629 (Father de Sales).

Trading Post near Muskogee, 1817.

LeHarpe coming up the Kiamichi River, 1719.

The George Washington Medal, given the Sac & Fox Indians
1789.

Block 2.

Maj. S. H. Long consulting with the Indians, 1820.

Thomas Janes, 1820.

Rev. E. Chapman, Union Mission, 1821.

Thomas Nuttall, 1819.

Arrival of the Creeks, 1827.

Block 3.

Andrew Jackson addressing the Choctaws, 1832.

Pushmataha, Choctaw, 1820.
Cherokee's Arrival, 1829.
Steamboat FIDELITY, 1828.

Block 4.

SEQUOYAH, Cherokee and his alphabet.
Cherokee Phoenix, 1828.
Stand Watie, Elias Boudinot and Chief John Ross.

Block 5.

Post Hospital, 1854.
First Permanent Highways.
Santa Fe Trail (covered wagon) 1822.
Ft. Smith, 1718.

Block 6.

Seminole arrival, 1842.
Choctaw Academy, 1832.
Frank Rush's Covenant with the Indians.
Arrival of the Chickasaws, 1832.
Stand Watie and John Ross shaking hands.
Osage and Kiowas Skirmish, 1833.

Block 7.

Clouds of Civil War.
Overland Mail, 1858.
Ft. Washita, 1843.
Rev. S. A. Worcester, 1836.
First Printing Press, Cherokee Advocate, 1844.
All Trails of the State. Santa Fe, Coronado's Expedition.
Chisholm; Texas Cattle; and Washington Irving's Tour of the
Prairies.

Block 8.

Constitution Convention Hall (Now City Hall at Guthrie).
All Territorial Governors grouped beneath it. Senators, Owens
and Gore on each side, with Bird McGuire, Callahan, Dennis Flynn;
Judge Ledbetter, and Harvey above.

Block 9.

Rev. Allen Wright (Who named Oklahoma).
Osceola, of the Seminoles.

Tecumseh of the Shawnees.

Alexander McGilvrey, and Opothleyahola of the Creeks.

Piomingo of the Chickasaws.

Block 10.

First Oil Well at Bartlesville.

Messrs. Robert Galbreath; Sinclair; Marland, Wilcox; Everest; Ames; Cromwell; Skelly; Garland; Brown; Franklin; Hurley; Buttram; Ramsey; Hayes; Chapman, and Mrs. Murray.

Block 11.

Princess Pakuli, Chickasaw Nightingale, broadcasting over KVOO, Tulsa.

Ataloa, Mrs. Roberta C. Lawson,

Te-Ata, and Mrs. M. O. T. Benzansen.

Block 12.

Dr. E. N. Wright, Chief McCurtain, Choctaws; Pleasant Porter and Alexander Posey, Creeks; Huntinghorse and family, Kiowas. Gov. Douglass Johnston, Chickasaw, and the Murray Agricultural School, Tishomingo.

Block 13.

Chief Alice Brown Davis, of the Seminoles, Wewoka.

Miss Francis Deal, and Peter Hudson, Choctaws. W. H. Drew, Cowboy.

Block 14.

Run of the 89ers, and some who made it.

Pawnee Bill; Gen'l Roy Hoffman; Wm. and Mrs. Pettee; W. L. Alexander; Dr. Blesh; Prof. A. C. Scott; Anton Classen; Mrs. J. B. Harrell; Mrs. Murray; Mr. Willour; Mr. Carrico, and Mrs. Church.

Block 15.

Group of Osages. Frank Phillips, Eagle Chief; Chiefs Look-out and Baconrind; Pawnee Indian Hospital; Sen. Amos Ewing; Ponca City Auditorium; Carnegie Gin; C. M. Sarchet, and Mrs. Lucas.

Block 16.

Jim Thorpe, Famous Indian Athlete; D. Bawden, Cowboy; Range Cattle. Pawnee Bill's Circus 1900; Church at Beaver, 1886, and still in use. Charlie Carter, Ardmore.

Block 17.

Rev. J. A. Overstreet. Indians of Governor Murray's Inaugural, Col. Victor Locke; Judge Beckett; Quannah Parker, and Traders; Platte National Park, Sulphur. Airplane Formation at Ft. Sill; Artesian Well, Sulphur.

Block 18.

Graham Homestead in Indian Territory; Charles Page Monument, Sand Springs. Editors' Club; Ft. Sill, and Pioneers.

Block 19.

Betsy's Buttercup, Gaylord's Prize Guernsey Cow, and Barn. Hon. John Fields; McFarland's Memorial Church, Norman; Chickasaw Hummingbird.

Block 20.

Cotton, Tillman Co. Peanuts, Durant; Pecans, Bryan Co. Irish Potatoes, Garvin Co., Watermelons, Rush Springs, Freight train hauling.

Block 21.

Col. Z. Miller, last of the Miller Bros. 101 Ranch; Bonnie Gray; Hale V. Hyatt; Rose Smith; Buck Stewart; Dave McClure; Buck Lucas, and Campfire, in the evening.

Block 22.

White House, 101 Ranch.

Block 23.

Capt. David L. Payne. W. A. Durant; Laura Clubb; Mrs. C. Guy Cutlip. Lew Wentz; Crippled Children's Home; Lew Wentz Swimming Pool, Ponca City.

Block 24.

The Pioneer Woman, Gov. E. W. Marland; Lucille Mulhall, on Eddie C. looking at the Pioneer Woman; Tom Mix. Pawnee Bill, Pink of Perfection (fish) out of Lake Lawtonka; Mrs. Gordon Lillie.

Block 25.

Pawnee Bill's Old Town and Indian Trading Post. Out Where the West Remains.

Block 26.

Z. Mulhall, Frisco R. R. Larkland; E. Turk. Rev. Groll. Cash Cade; Kerr Dry Goods Co. Mrs. Meister.

Block 27.

Radium Water, and Will Rogers Hotel, Claremore; Turner Falls; Courthouse Newkirk; Scottish Rite Temple, Guthrie; Coleman Theatre, Miami; Aldridge Hotel, Shawnee.

Block 28

W. A. Vandever; Messrs. Benedict, Howard and Mayo, Tulsa. and the three million dollar church, (Boston Avenue M. E. South). Judge J. R. Keaton, Oklahoma City.

Block 29.

Petroleum Bldg., Chickasha Nat'l Bank, Enid Grain & Elev. Co., Enid. J. M. Owen, KOMA, W. A. Campbell, Sen. Looney, Una Lee Roberts, Asst. Secy. of State.

Block 30.

Philtower, and Waite Phillips, Tulsa. First National 33 story bank and the Johnson Bros., Oklahoma City.

Block 31.

Biltmore Hotel, Ramsey Tower, Dan Hogan, O. G. & E. Co., Am. Exch. Bank, Tulsa. H. H. Rogers, Tulsa. Bell Tel. Co., Dr. G. A. Nichols; Ed Overholser; Hall-Brisco, Oil Well.

Block 32.

Colleges: Tahlequah; Stillwater; Edmond; Alva and Durant.

Block 33.

Sen. Harreld. Bishop Casady, Council House; Bishop Kelly; Scott Ferris. Council House, Okmulgee. Dr. Blatt; Generals, Canton, Key, Barrett, and Constitution of Oklahoma. Wm. H. Murray, President; Pres. Theodore Roosevelt, who proclaimed statehood for us in 1907.

Block 34.

State Capitol with all our nine state governors.

Block 35.

Historical Society Bldg.; Jasper Sipes; Dan W. Peery; W. P. Campbell; Mrs. C. C. Conlan; Reo Auto.

Block 36.

The Mansion; Mrs. Murray, Gov. Wm. H. Murray, Mrs. Korn; Frisco-Rock Island Station; Mrs. Juanita Johnston Smith.

Block 37.

Phillips Pet. Gasoline Plant. John Kroutil. Mrs. McDougal, Sapulpa.

Block 38.

Scottish Rite Temple, McAlester. J. J. McAlister. Gen. Hailey, Choctaw Council House Tuskahoma. H. B. Houghton.

Block 39.

Cushing Refinery. Mr. and Mrs. J. H. Bellis. Rock Island Train. Mayo Hotel and Mr. Mayo. M. K. & T. Ry. First Oil Well at Bristow.

Block 40.

F. C. Hall. His Trophy. The Winnie-Mae, and Post-Gatty. Administration Bldg., Norman, and Dr. Boyd.

Block 41.

WILL ROGERS (Oklahoma's Own). Mrs. J. B. Harrell, and Miss M. Wright.

Block 42.

The KILTIE BAND, and Mrs. Elam, Wewoka.

Block 43.

Frank Phillips and his country estate; Mrs. J. Hale Edwards.

Block 44.

"Wild Mary Zudie," I. T. I. O. and other wells.

Block 45.

Mrs. V. Browne; Mrs. John Shartel; Mrs. Frazier; Mrs. Sutton; Dr. Winnie Sanger; Mrs. Crumm; Mrs. Miller, and Mrs. Mabel Bassett.

Block 46.

Miss Edith Johnson; Mrs. J. H. Oliver; Miss Alice Robertson; and Paul Kroeger.

Block 47.

Sen. Pine; Dr. Border, and the Border Hospital at Mangum. Dr. Bilby. Dr. Barker and the first Postoffice at Oklahoma City, 1889. Mr. John Easley and the Memorial at Ardmore. Frank Rush, Craterville Park.

Block 48.

CHARLES COLCORD (Oklahoma's Outstanding Son) and the Colcord Bldg.

Block 49.

OKLAHOMA'S BLACK GOLD. Eugene Lorton, pitching hay and threshing at Lortondale.

Block 50.

Presentation of OKLAHOMA'S FLAG, at Washington, D. C. 1924, by Mrs. Little, and Jones, of Cushing, Okla. Gen. Sneed. OKLAHOMA'S GRAND OLD MAN. Dr. Jos. Thoburn. Mrs. Jessie Moore.

Block 51.

Mrs. T. B. Ferguson, Watonga. Kate Bernard, First Comm. of Charities. Mrs. Athenius Folsom Colbert. Mrs. Fluke, and Sen. Thomas. Dr. Clinton, Tulsa. Blks 52-3-4 Oil Wells of the State, and Carl McGee.

A FRAGMENT OF HISTORY

The Chronicles has received a letter from Mr. Fred S. Perrine of 1215 Seventh Street, Oregon City, Oregon, enclosing some interesting articles copied from *Niles Register* printed in 1834-35 in regard to the military expedition of the Dragoon Regiment under Colonel Dodge in 1834. A copy of the "*Journal of Hugh Evans*" was furnished the Society by Mr. Perrine and it is regarded as one of the most authentic and historic stories that has ever been printed relating to the Dodge Expedition from Fort Gibson to southwestern Oklahoma, including the Wichita Mountains.

The original of this diary of Hugh Evans is in the archives of the Historical Society of Oregon and a copy was transcribed from the original and edited by Fred S. Perrine and published in *Chronicles of Oklahoma*, Vol. 3, No. 3, with additional notes by Grant Foreman.

These articles throw additional light upon the Dodge Expedition but, in the main, verify the diary of Hugh Evans and also that of George Catlin, the artist who accompanied this expedition. The writer gives a very graphic picture of the scenery in the Wichita Mountains which he refers to as the "Pawnee Peaks." He makes the common mistake of early explorers who thought the Wichitas, Ionines, Keechies and affiliated Indian tribes were a branch of the Pawnees. —D. W. P.

Mr. Perrine writes: "If you consider these items of enough interest to your readers, I would be glad to see them in print."

From NILES WEEKLY REGISTER, September 20, 1834.

"We have the following account of the return of the dragoons from the *Arkansas Gazette* of the 26th ult.

" 'By a gentleman direct from Fort Gibson, we are happy to learn that the detachment of the U. S. dragoons, under Colonel Dodge, returned to that post on the 15th inst., from their expedition into the country of the Pawnee, Comanche and other Indians,

inhabiting the vast expanse of territory several hundred miles south and west of our frontier, without the occurrence of any unpleasant collision with the various tribes with whom they opened an intercourse. They have brought in about twenty Indians, comprising delegations from the Pawnee, Comanche, Waco and one or two other tribes, with all of whom, we understand, treaties of amity have been concluded by Colonel Dodge. Some of these delegations have come in with the intention of proceeding to Washington city. Colonel Dodge, we understand, procured the release of a little boy about 10 years of age, son of the late Gabriel N. Martin of Miller County, who was carried off by the Indians some months ago at the same time that his father was murdered by them. A negro man belonging to Mr. Martin, who was captured at the same time, has also been restored.' "

FROM NILES WEEKLY REGISTER, AUGUST 8, 1835.

From the Illinois Register.

"We have been politely furnished by O. H. Browning, Esq., with the following interesting extract from a letter addressed to him from Cantonment Leavenworth, by a gentleman who accompanied the United States dragoons, in the summer of 1834, in their expedition to the Pawnee villages. The extract contains some new and entertaining historical facts, as also a graphic description of the scenery presented at the Pawnee Peaks; and we doubt not will be perused with interest by our readers.

"On the 19th of July we again resumed our march under the guidance of the above named Pawnee Mohaw, who, to my mind, proved himself to be a treacherous villian; for he led us a circuitous route of three days, over an excessively rugged and rocky country, and amid inconveniences of every description, when, on our return to the encampment, we traversed a beautiful prairie, and found the distance not to exceed forty-five miles. Yet I, for one, did not regret it, for our way led through scenery not exceeded—I hardly believe equalled. I have read of the Alps, and have seen paintings of the most celebrated portions of Alpine scenery. The Alps are higher; but in sublimity, grandeur and general effect, they *must*, and in time *will*, yield the palm to the

hitherto unknown, unvisited Pawnee Peaks. Here the gradual swell, the beetling precipice, the castellated battlement, the solitary tower, the glittering, roaring cascade, the shady vale and opening vista, disclosing in turn distant views of new grandeur—all, all the rich combinations of mountain scenery are here thrown together, forming an unrivaled whole, which, in years to come, will be the goal of all travellers on earth.

“ ‘On the evening of the 21st we reached the goal of our enterprise, the long-sought Pawnee village. Here was a new matter of wonder. We approached a sweep of perpendicular mountains, whose tops are wholly inaccessible to the human foot from this side, and reached the village through the passage which leads to it, a narrow defile which one hundred good men, with a proper armament, and a good engineer, could keep against the countless legions that Napoleon led to Moscow.

“ ‘After passing through this defile, we immediately entered the village situated in a beautiful bottom, on the margin of a river, supposed, by some, to be main Red River, but which is only a principal fork of that stream.

“ ‘Like others of the southern rivers, its bottom is a flat bed of fine sand that maintains nearly the same level all the way across, the water now but a few inches deep, *yet unlike* the water of other rivers, this is nearly as salt as the water of the Kanawha saline. When this stream is full, it is 500 yards wide, and about ten feet deep. The natives say that the salt taste proceeds from great beds of rock salt about twenty miles above, and exhibited to us, quantities that they had procured there. Our arrival here was timely; for we were hungry, and had nothing to eat. They had plenty of corn just in good eating order, pumpkins, squashes, water and musk melons, together with dried buffalo and horse meat. For supplies of these articles we gave them tobacco, tin cups, buttons, the yellow stripes from our pantaloons, &c. but when we offered them money, they laughed at us, for these unsophisticated beings knew not its value. When we could explain to them the *use* of any thing, they would trade for it; but as we could not make them sensible of the use of money, none of it would they have.

“ ‘They call themselves Towea Indians, and appear amiable and industrious. The women are beauties, yes, real first rate, light

copper beauties, for the devil take the ugly one that I saw, that was less than a 'centurion,' which word a school mate of mine once defined to be a person a hundred years old, and got flogged for his pains.

“ ‘On the 22nd and 23rd, the Kiowa, Waco and Comanche Indians arrived, and our little band was surrounded by between three and four thousand warriors, yet we trembled not. On the 24th the treaty proceeded and by it, among other things, we recovered from them a little white boy, the son of Gabriel Martin, a wealthy planter of Louisiana. He had gone up, with some friends, early last spring, on a hunting excursion to the False Washita and, whilst separated from the rest, was attacked by the Indians and killed, and his son taken prisoner. They concealed the boy on our approach, and he probably would never have been liberated had it not been for a negro, likewise a prisoner, who informed us where he was concealed. He was seven or eight years old and unusually intelligent.’ ”

NOTES

Students of the Southwest know something of the services and writings of Baldwin Möllhausen. When Jefferson Davis as Secretary of War ordered the survey of a route for a railroad from Memphis to the Pacific Ocean the undertaking was committed to Lieut. A. W. Whipple of the topographical engineers. His company was composed of engineers, geologists, naturalists, astronomers and surveyors. The party also included one topographer and artist. The person who was selected for this post was the German, Baldwin Möllhausen, or, as his name appeared on Whipple's roster, H. B. Möllhausen. From the report of the survey it appears that the expedition began its work at Fort Smith on July 14, 1853. They traveled up the Arkansas and Canadian rivers, through the Panhandle of Texas to Albuquerque, crossed the Colorado River into California in February, and reached the "Pueblo de los Angeles" on March 20, 1854.

The very interesting journal of the expedition submitted by Lieutenant Whipple to the Secretary of War is adorned by many beautiful illustrations executed by Möllhausen. This enthusiastic artist made voluminous notes of his experiences and observations on this expedition and when he had more leisure reduced them to a detailed narrative which was published in Leipsig, Germany, in 1858. The same year an English translation of the work was published in London under the title of *Diary of a Journey from the Mississippi to the Coast of the Pacific with a United States Government Expedition*. The English edition appears in two handsome volumes containing many beautiful illustrations in color by the artist.

In that part of the work devoted to the travels of the expedition through the Indian Territory Möllhausen has given us many valuable descriptions of the country and the Indians seen by him, and his work thus stands as one of the valuable sources for the student of Oklahoma history. Baron von Humboldt, a devoted friend of young Möllhausen, in 1857 addressed an interesting letter to Senator Davis soliciting other employment for the young artist and naturalist. The manuscript translation of this letter

was discovered by the undersigned in the files of the war department, and because of the contribution made by Möllhausen and the great service rendered by the German Baron it is reproduced here.

—G. F.

(Translation)

“The friendship with which I was honored by the illustrious President Jefferson on my return from Mexico at the beginning of this century, and the kindness which has always been bestowed in your beautiful and free Country, upon my american works, emboldens me to beg of you a favor in a matter which I have very much at heart.

“Be pleased to receive with indulgence these scarcely legible lines from the oldest traveller on the Orinoco and in Siberia! In all its grand expeditions the U. S. Government has manifested a noble interest in the advancement of physical geography: in whatever regards the production of the Soil; the individual character of the Country; and the aspect of the indigenous population more or less retaining its primitive state.

“The important works to be carried on near the North Western Boundary Line, the astronomical part of which is under the direction of Lieut. John G. Parke of the Topogr- Engineers may perhaps afford an occasion to employ as draftsman, an artist, who, by long experience is also well qualified to act as Collector of specimens of natural history. I take the liveliest interest in one of my young countrymen Mr Baldwin Möllhausen, who after passing several years among the Northern Indians, has had the honor to serve under the command of the worthy Captain Whipple between the Missouri River and the Coast of California and distinguished himself as draftsman and topographer by his activity and intelligence. Mr Möllhausen as an inmate of my house for several months has enlisted my warmest interest in his behalf by his varied knowledge and amiable character. His artistic talents have been singularly developed and perfected here by his intimate relations with one of our first landscape painters. He has read before the Geographical Society in Berlin several memoirs illustrated by his own drawings which have attracted great notice among my friends.

“The King of Prussia, who has a marked predilection for your noble expeditions to the North West, has while at Potsdam manifested a personal interest in Mr. Möllhausen but as frequently is the case with travellers who, like myself, have for a time been in contact with the wild abundance of nature, Mr Mollhausen dreams of nothing but of the happinefs to be attached once more to an american expedition. I would then in soliciting the good offices of a statesman who has for a long time been at the head of the War Department wish to aid in procuring for Mr Möllhausen an employment in accordance with his desire which is one for usefull activity. My excellent friend the Prussian Minister, Baron von Gerolt shares my sentiments. I can only offer you on my part the frank and lively gratitude of an old man of 88 years who considers himself half an American.

“Mr. Senator I beg you to accept the assurance of my homage and of my high consideration

Signed (Alexander von Humboldt)

“Berlin March 24th, 1857.

Honorable

Jefferson Davis U. S. Senator &
late Secretary of war
Washington”

The Baron’s solicitation was not in vain; the sequel to this letter is to be seen on the last page of Möllhausen’s second volume, where he pays this tribute to his friend:

“ ‘Mr. Möllhausen, — I am desired by the Secretary of War to Communicate to you that you have been appointed as assistant to an expedition to proceed under my command to the exploration and survey of the Colorado River. You will, therefore, proceed from New York to San Francisco in the steamer which leaves there about the 20th of September, 1857, and should you there find no special instructions, go on by the next boat to San Diego, where you will present yourself to me. Allow me to express the pleasure I feel at this renewal of our intercourse.’

“By the time this book is published, therefore, I shall be again on the coasts of the Pacific, collecting materials for fur-

ther work. This fulfilment of my wishes I by no means owe, however, to my own exertions or merits, but to the untiring kindness of the high-minded man, of whom an American, holding one of the most important public offices of his country, once expressed my own feelings when he said to me, uttering at the same time the general sentiment, 'How sacred to me is every word of Alexander von Humboldt.' "

NOTE

The General George Izzard Chapter, Daughters of 1812, of Little Rock, Arkansas, on November 24, 1935, at 2:30 o'clock, unveiled a marker in Mt. Holly cemetery to the memory of Quatie, wife of John Ross, Cherokee Chief. She died in 1839 on a steamboat on the Arkansas River as it neared Little Rock during the enforced emigration of the Cherokee tribe, and was buried at Mt. Holly.

The Daughters of 1812 of Oklahoma, under the leadership of Mrs. Howard Searcy, State President, are inaugurating an ambitious campaign to commemorate veterans who died within the limits of this state. They intend to erect an appropriate monument in Fort Gibson where many veterans of that war served and died. It is also planned to erect a monument at the grave of Capt. Nathaniel Pryor near Pryor, Oklahoma. Captain Pryor served with the Lewis and Clark Expedition and afterwards, in the United States Army, participated in the battle of New Orleans. His life was closely identified with the history of the Indians and of the early days of Oklahoma. He died in 1830 and was buried about 7 miles from Union Mission.

OKLAHOMA HISTORICAL SOCIETY

QUARTERLY MEETING, BOARD OF DIRECTORS
OCTOBER 24, 1935.

The regular quarterly meeting of the Board of Directors of the Oklahoma Historical Society was held October 24, 1935, in the Historical building, Oklahoma City, Oklahoma, at 10:00 A. M., with Judge Thomas H. Doyle, President, presiding.

The Secretary called the roll which showed the following members present: Judge Thomas A. Edwards, Judge William P. Thompson, Dr. Emma Estill-Harbour, Mrs. Jessie E. Moore, Mr. James H. Gardner, Mr. Jasper Sipes, Mr. George H. Evans, Gen. R. A. Sneed, Judge Thomas H. Doyle, Mr. John B. Meserve, Judge R. L. Williams, Dr. E. E. Dale, Dr. Grant Foreman, Judge Samuel W. Hayes, Judge Harry Campbell, Judge Baxter Taylor, Mrs. John R. Williams, Judge Robert A. Hefner, and Dan W. Peery, the Secretary.

The Secretary reported that messages had been received from Mrs. Blanche Lucas, Col. A. N. Leecraft, and Dr. J. B. Thoburn explaining their inability to attend this meeting, and it was also reported that Gen. Charles F. Barrett and Gen. William S. Key were out of the city on official business.

Judge R. L. Williams moved that explanations for absence be accepted and that Gen. Charles F. Barrett and Gen. William S. Key be excused also. Motion was seconded and carried.

Judge R. L. Williams presented the following resolution:

It appearing that no petition was presented and filed with the Secretary to place any name on the ballot to succeed the directors whose terms would expire in January, 1935, to-wit: Gen. W. S. Key, Judge Harry Campbell, Judge Baxter Taylor, Mrs. John R. Williams and Mrs. T. B. Ferguson, that they be declared and recorded as having been elected under the terms of the constitution to succeed themselves for another term, and that they are accordingly declared to have been so elected as members of the board for such term. And Judge W. A. Ledbetter, whose term would have expired in January, 1938, having died and Judge John B. Meserve having been appointed to succeed him ad interim, and no petition having been filed to have any name placed on the ballot to be voted on to succeed him, it is hereby recorded that he was elected in accordance with the provisions of the constitution for said term which would expire in January 1938, and he is declared to have been so elected.

Upon motion of Judge R. L. Williams the resolution was adopted and made nunc pro tunc as a part of the minutes of the regular meeting held in January, 1934.

The Secretary read his report on the activities of the Society for the third quarter, and discussed the WPA project for the Historical Society.

The WPA project for the Society was also discussed by Judge R. L. Williams and Dr. Grant Foreman.

The Secretary made a verbal report on the use that various organizations had made of the auditorium in the Historical building.

Dr. Grant Foreman moved that it be a part of the duty of the Secretary to keep a record of all organizations using the auditorium and that it be published in *Chronicles of Oklahoma*. Motion was seconded and carried.

Judge R. L. Williams presented to the Society, for its archives, a train order issued by the Missouri, Pacific Railway Company, dated Denison, Texas, December 14, 1888, which was received by the Chair for the archives.

Judge R. L. Williams discussed the salary of the file clerk for newspapers, and moved that no more vouchers be issued for \$125.00 per month until an opinion had been received from the Attorney General as to its validity, when only \$1200 per annum had been appropriated by the Legislature for this position, and that the President or Secretary ask the Attorney General for an opinion as to the legal status of the matter. Motion was seconded.

The Vice President, Dr. Emma Estill-Harbour, was asked to take the chair.

The matter of the salary of the file clerk for newspapers was discussed by Judge Thomas H. Doyle, Judge Harry Campbell and Judge Samuel W. Hayes.

Upon vote the motion was carried.

Mrs. John R. Williams made a report on the picture of Gov. E. W. Marland, which had been presented to the Society by Mrs. Blanche Lucas, but had not reached the building.

Mrs. John R. Williams presented to the Society a report of the School Land Office for the year 1912, during which time her husband, the late John R. Williams, was Secretary of the School Land Office and Lee Cruce was Governor. The report was accepted and Mrs. Williams was thanked for this contribution to the Library.

Judge R. L. Williams moved that Mrs. J. J. Culbertson, Sr., be requested to donate a portrait of her late husband, J. J. Culbertson, Sr., to hang on the walls of the Historical building. Motion was seconded and carried.

Mr. George H. Evans read a letter from Judge C. Ross Hume, of Anadarko, and introduced Mr. Stanley Edge, a member of the Caddo Tribe and the interpreter who attended the Centennial of the signing of the treaty between the Caddo Indians and the United States, held at Shreveport, Louisiana, July 1, 1935. Mr. Edge also presented a picture of the delegation of Caddoes who attended this celebration and a picture of the Carlisle football team, taken in 1906.

Mrs. Jessie E. Moore moved that these gifts be accepted and that Judge C. Ross Hume and others be thanked for their part in the matter. Motion was seconded and carried.

Judge R. L. Williams, chairman of the committee on employees, reported that Mr. C. C. Bush, Jr., had notified him that it would be impossible for him to accept the secretaryship of the Historical Society next January.

Judge Harry Campbell moved that the committee on employees be continued to receive applications and report the same to the Board with all data, but without recommendations on the part of the Committee. Motion was seconded and carried.

Judge Samuel W. Hayes reported that he and Mr. Jasper Sipes had been endeavoring to secure the portrait of the late R. K. Wooten, and moved that the President or Secretary write to Mrs. Wooten and express the desire of the Society to have such a portrait. Motion was seconded.

Judge R. L. Williams moved to amend by adding that Judge Hayes, Mr. Sipes and Mr. George H. Evans be appointed to confer with Mrs. Wooten in regard to a portrait of the late R. K. Wooten. The amendment was accepted and the motion as amended was carried.

Judge Thomas H. Doyle reported that Mr. Jasper Sipes, President of the Society for twenty-one years and now President Emeritus, had presented the Society an oil painting of himself, and it was moved that the members of the Board express their appreciation for this gift. Motion was seconded and carried.

Dr. Grant Foreman reported on the Indian records that had been moved to the Historical Society building.

Dr. Grant Foreman reported on the progress made by the Fort Gibson Stockade Commission, especially in the way of securing funds to carry on this work.

Judge R. L. Williams moved that a list of the donors be made a part of the minutes of the Society, and also reported in the minutes incorporated in the Chronicles. Motion was seconded and carried.

Dr. Grant Foreman reported that he had some work done for the Society, amounting to \$11.00.

Judge R. L. Williams moved that these bills be allowed and paid out of the private funds of the Society. Motion was seconded and carried.

Judge R. L. Williams moved that Dr. Grant Foreman be authorized to expend for stenographic work a sum up to \$50.00 to be paid out of the state funds when transferred from other funds so as to be used for such purpose. Motion was seconded and carried.

Dr. Grant Foreman presented to the Society a picture of the First Methodist Episcopal Church, South, in Muskogee, taken in 1878, a gift of Dr. B. D. Weeks, President of Bacone College.

Judge Thomas H. Doyle moved that the picture be accepted and that a note of thanks be written to Doctor Weeks. Motion was seconded and carried.

Dr. Grant Foreman presented a picture of the football team of Henry Kendall College, taken in 1897, and a picture of the home in Muskogee of the late Judge and Mrs. N. B. Moore, both gifts of Mrs. Grant Foreman.

Upon motion the picture was accepted and Mrs. Foreman thanked for the donation.

Mrs. Jessie E. Moore moved that Dr. E. E. Dale, Dr. Grant Foreman and Dr. J. B. Thoburn continue their work in tracing the trails of Oklahoma and having a map made of same. Motion was seconded and carried.

Dr. Grant Foreman presented to the Society a flag, used on the Indian Territory building at the World's Fair in St. Louis, 1904, a chair that came from Italy and used in the Italian exhibit at the World's Fair, and a medal engraved "1903, Indian Territory, Executive Commissioner,

Universal Exposition, 1904, St. Louis, Missouri," all the gift of Mrs. E. H. Hubbard, of Muskogee. Upon motion the gifts were accepted and the donor thanked for same.

Judge Thomas H. Doyle discussed the landscaping of the ground surrounding the Historical building.

Judge R. L. Williams moved that the President and Secretary present the request of the Board of Directors to the State Board of Affairs, asking to have this landscaping work done. Motion was seconded and carried.

The Chair presented Mr. O. E. Brewster, of Crescent, Oklahoma, Secretary of the Cherokee Cowpunchers Association, who presented to the Society a picture entitled "The Vanishing Herd," painted upon a buffalo hide; also upon the same hide are the names of the some four or five hundred members of the Association. Most of the painting was done by the late Col. E. W. Lenders, and shows the cow brands of the different ranches. Mr. Brewster requested that the picture be put in a glass case for preservation as an exhibit of the Cherokee Cowpunchers Association and placed in the museum.

Mr. John B. Meserve moved that the painting be accepted and that a committee be appointed to secure the case. Motion was seconded and carried.

The Chair appointed Mr. Meserve, Dr. E. E. Dale and Dr. Grant Foreman to secure the case.

The Secretary presented to the Society a book of 292 pages, the same being a brief filed by the attorneys Charles Merritt and Charles L. Kappler in the Court of Claims of the United States, Washington, D. C., these attorneys representing the Wichita and affiliated tribes in Oklahoma. The Brief is a gift to the Society from Charles L. Kappler, recognized authority on Indian Laws and Treaties in United States.

Upon motion the book was accepted and Mr. Kappler thanked for same.

Mr. John B. Meserve introduced the two new members of the Board of Directors, Mr. James H. Gardner of Tulsa, and Judge Robert A. Hefner of Oklahoma City.

Mr. Sipes discussed the Washington Irving Trail as outlined in *A Tour on the Prairies*, and suggested that one marker be placed in each county where a trail crosses the public highway.

Judge William P. Thompson moved that a committee of three, with Mr. Sipes as chairman, be appointed to assist in erecting a monument to Washington Irving where the trail crosses the public highway. Motion was seconded and carried.

The Chair appointed Mr. James H. Gardner and Judge Robert A. Hefner to assist Mr. Sipes.

Mrs. Moore reported that markers had been placed at Camp Holmes and at Camp Mason, a short distance north of Lexington, and one planned where the California trail crosses highway No. 77 north of Wayne.

The Secretary reported the following list of applicants for annual membership in the Society:

Mrs. Jennie Baker, Memphis, Tennessee; C. E. Bearse, Okmulgee; Mrs. Neda Parker Birdsong, Cache; O. E. Brewster, Crescent; Mrs. Floy

Elliott Cobb, Tulsa; E. D. Cornelius, Ft. Wingate, N. Mex.; Sister Ermenhilda, Okarche; Abe Grad, Carnegie; William S. Hamilton, Pawhuska; Ellis H. Hammett, Coweta; Alexander Johnston, Tulsa; Mrs. F. A. Lee, Clinton; W. J. Milburn, Oklahoma City; Edward F. McKay, Oklahoma City; Barney McKellop, Wewoka; M. A. Nelson, Tulsa; Ernest G. Pickett, Shattuck; Fred Teten, Shattuck; Hugh E. Tyson, Oklahoma City; Howard F. Van Zandt, Muskogee; Harry Watts, Okmulgee; Mrs. E. O. Wheat, Stratford; J. W. Wheat, Cleora; James Brookes Wright, McAlester.

Upon motion they were received into the Society.

The meeting stood adjourned.

Thomas H. Doyle, President,
Presiding.

Dan W. Peery, Secretary

MYRA WARE CHOUTEAU

1861-1935

Mrs. Myra Ware Chouteau was born near Richmond, Va., June 5, 1861, and died May 26, 1935, at Vinita, Okla. She was an old settler of Indian Territory, having moved to Vinita in the early eighties from Louisiana, Mo., her home after leaving Virginia.

Mrs. Chouteau's ancestors were among the first permanent English settlers in America. She was a direct descendant of Lord Thomas West De la Ware, first governor of Virginia, after whom the state of Delaware, the Delaware Indians, Delaware River and Delaware Bay were named. Ware church, one of the oldest parishes in Virginia, was established by others of the Ware family in 1862.

Mrs. Chouteau was the wife of Edmond Chouteau, a blind musician to whom she proved a lifelong helpmate. She was a devoted member of the Methodist church and her life was an exemplification of the high ideals that were her birthright. Because of her devotion to her family and her willingness to help those around her, she became affectionately known as "Mother" Chouteau by those who knew her best.

Her death was caused by a heart ailment that troubled her for the last three years of her life. She is survived by two sons, Corbett Chouteau of Oklahoma City and Byron Chouteau of Vinita, as well as four sisters and two brothers. Another son, Lonnie, died in infancy.

EDMOND (EDWARD) CHOUTEAU

1866-1923

Edmond Chouteau was born in May, 1866, at Chouteau Station, Kansas, a town that was named after his famous grandfather, Frederick Chouteau, the founder of Kansas City. When he was only four years old, he suffered a severe attack of typhoid fever which left him totally blind. He was undaunted by this grave affliction, however, his handicap seeming only to strengthen his determination to excel in intellectual attainments. He received the greater part of his education at the Kansas State School for the Blind at Kansas City, Kan., where he specialized in music, mathematics, philosophy and the sciences, graduating with honors.

After leaving school, Mr. Chouteau went to Vinita in Indian Territory, the home of his father, William Myers Chouteau. In 1892, he married Myra Fields Ware, descendant of a pioneer Virginia family, who proved a wonderful and indispensable helpmate. Her efforts in his behalf seemed tireless and she spent many hours every day reading to him. As a result, he became far better informed than the average person around him.

Mr. Chouteau spent the remainder of his life at Vinita. During this time, he taught music for nearly 30 years and established a reputation as one of the best musicians and teachers of music in northeastern Oklahoma. He also conducted an orchestra for several years and made several concert tours. In his later years, he composed a great number of pieces but never attempted to publish any of his compositions.

Mr. Chouteau did not seem to recognize his tremendous handicap and he often deplored the fact that so many people with eyesight spend so little time in study and constructive thought.

Mr. Chouteau was half French and half Shawnee Indian. He was a direct descendant of one of the most prominent commercial dynasties in middlewestern history. Major Jean Pierre Chouteau, merchant prince, explorer and founder of Salina, first white settlement in Oklahoma, was his great grandfather. Jean Pierre's brother, Auguste Chouteau, founded the city of St. Louis.

Edmond Chouteau died May 15, 1923, at the age of 57 years, his death resulting from complications after he had stumbled into a parked automobile and bruised his chin. He was survived by his wife, who has since passed away, and two sons, Corbett E. Chouteau of Oklahoma City and Byron W. Chouteau of Vinita, as well as several brothers and sisters.

MRS. FRANK C. ORNER

1867—1935

Mrs. Frank C. Orner died at her home in southern Payne County, Tuesday, November 26, 1935. The funeral services were held at Perkins, Thursday afternoon at 2 o'clock. Burial was in Memorial park, Oklahoma City.

Officiating at the funeral services was Rev. Virtes Williams, assisted by Rev. John Garner. Reverend Garner was the officiating clergyman when Mr. and Mrs. Orner were married 35 years ago.

Nancy Lenora Main was born in Moravia, Iowa, December 16, 1867. She moved with her family to Oklahoma in 1894, locating in the vicinity of Perkins. She was married to Frank C. Orner June 3, 1900. They made their home in the Perkins community ever since that time, excepting for 12 years when they resided in Stillwater for the purpose of educating their children. Mrs. Orner was a member of the Christian Church for more than fifty years.

Survivors include her husband, Frank C. Orner, a well known pioneer citizen of Oklahoma and a life member of the Oklahoma Historical Society; four daughters, Mrs. Zephyr L. Cross, Guthrie, Miss Sophia J. Orner, Oklahoma City, Mrs. Oretta Swartz, Edmond, and Miss Leone Orner, Oklahoma City; her mother, Mrs. Sophia Main, Stillwater; one sister; Mrs. Bert Wiley, Oklahoma City; a brother, George Main, Stillwater, and one grandchild.

LUTHER MORTON KEYS

1858-1935

In the June number of *Chronicles of Oklahoma*, pages 223-224, there appeared an article concerning a former Oklahoman, the Hon. L. M. Keys. In the introduction to a biographical sketch taken from a California paper, the *Chronicles* said: "Most every one who lived in the old Territory of Oklahoma remembers L. M. Keys. He practiced law in Oklahoma City for several years, but at the opening of the Kiowa and Comanche reservation he located in Hobart the county seat of Kiowa County. He held many positions of honor and trust while a resident of Oklahoma. He was a modest, unassuming gentleman and was recognized as an able lawyer and a man of honor who respected the ethics of his profession. His many old friends will be glad to know that this pioneer is still living and enjoying the blessings of health in that land of sunshine and flowers."

Now comes the sad news that Mr. Keys has passed away. This old pioneer whom the early settlers will remember with kindness, has left us. His passing came at a time when living seemed to be a real pleasure after the business cares and responsibilities of life no longer rested on his shoulders. He was spending much of his time in writing reminiscences and in contemplating the events of a well spent life.

Judge Keys was a real pioneer—an '89-er in the settlement of Oklahoma, and his passing will be regretted by those early settlers who remember him as an honorable man and a good lawyer.

The following from the *Long Beach Legal News* will be of interest:

"Last rites were said for Luther Morton Keys, 76, of 237 Magnolia Avenue, this morning at Mottell's Chapel, Third street and Alamitos Avenue, with Rev. Ralph Jensen officiating. Entombment was made at Sunnyside Mausoleum.

"The deceased was well known in legal circles here, being a member of the American and State Bar associations in addition to the local organization. He also was distinguished as a poet and a writer, many of his works appearing in newspapers and periodicals here. In 1934 his poems were chosen to represent the California section of the American States Anthology.

"For the past ten years he had practiced law here and was admired and respected by his fellow barristers and various Long Beach attaches.

"His earlier career in the Middle West was a varied and colorful one. For three terms he was Municipal Judge at Emporia, Kansas, and also served as City Attorney and later United States District Attorney at Oklahoma City, Okla. (O. T.) He also held the office of County Attorney of Kiowa County, Okla., and at one time was a member of the Supreme Court Commission of Oklahoma.

"Attorney Keys was a member of the Oklahoma Historical Society, The Pacific Woodmen of America, B. P. O. E., I. O. O. F., the following bodies of the Masonic Order; Blue Lodge, Commandery and India Shrine, and of the Friends Church.

"His birthplace was Noblesville, Ind.

"Survivors include the widow, Elfleda N., two sons, Norton, Long Beach and Leon, Los Angeles; a brother, Albert V., Boulder, Colo.; four granddaughters and one great grand child."

The Oklahoma Historical Society has received a large collection of valuable historic material which belonged to Mr. Keys, including many Indian relics, which is a valuable addition to the museum, as well as to the Historical Society. This collection was sent by Mr. Norton Keys, son of the late L. M. Keys. It was his father's wish that this material should be deposited with the Oklahoma Historical Society.

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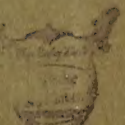
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